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# **NAVAL POSTGRADUATE SCHOOL**

## **Monterey, California**



## **THESIS**

**THE POLITICAL AND SECURITY IMPLICATIONS OF  
REGIONALISM IN RUSSIA: THE RISE OF REGIONAL  
TSARS?**

by

Allison M. Hartmann

September 2001

Thesis Advisor:  
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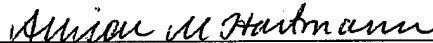
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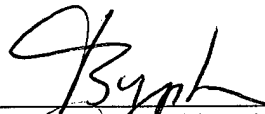
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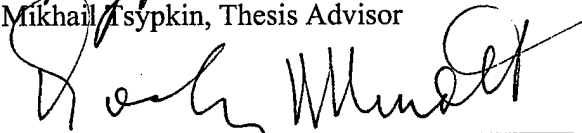


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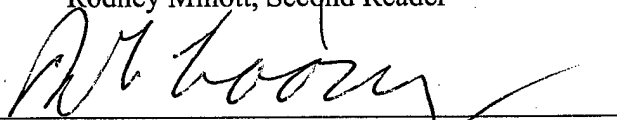
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## ABSTRACT

This thesis examines the political and security impacts of the devolution of power to Russia's regions since 1993. By reviewing the basis of Russia's federal structure the author identifies how the nature of the structure and the manner in which it evolved have led to the emergence of local tsars who have few horizontal or vertical checks on their power. The thesis analyzes the impact that strong regional leaders have had within their regions, to include their impact on free and fair elections, free press, individuals' rights, and rule of law. The author finds that the lack of checks on the regional leaders' abuses of power within the regions destabilizes the country by only further encouraging them to expand their power into realms intended to be under the control of the federal government, to include the military and foreign policy. The resultant injection of regional leadership into these matters threatens the security of Russia by inhibiting the ability of the central government to field a cohesive military force and pursue cogent foreign policy. The thesis further examines the prospects for regional tsars in light of recent efforts to rein in the regions. The author determines that these reforms, though resulting in a degree of centralization, also target some of the key problems in Russia's federation, to include the dearth of checks on regional power and the contradictions in the legal framework guiding center-periphery relations. However, further reforms targeting Russia's antiquated federal structure and enforcement mechanisms are recommended.

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## EXECUTIVE SUMMARY

Since the collapse of the Soviet Union in 1991, power has devolved to Russia's regions. Although the overcentralized nature of the Soviet Union necessitated such a transfer, the increased power of the regions has not been entirely positive. Due to the perpetuation of an asymmetrical federal structure and the evolution of a contradictory and vague legal framework to guide center-periphery relations, many regional leaders gained a tremendous amount of power. Lacking both horizontal and vertical checks on their power, many regional leaders became virtual tsars within their regions. While these leaders typically maintain a façade of democracy in order to appease the central government, they freely violate democratic norms in their attempts to remain in power. As a result, such things as free and fair elections, free press, individuals' rights, and rule of law have suffered tremendously. The ability of the regional leaders to exert control over their regions is furthered by their influence over the regional legislative and judicial branches, and by the ineffectiveness of federal representatives.

The freedom provided to the regional leaders within their regions only encourages them to extend their influence into a variety of realms intended to be under the control of the federal government, to include the military and foreign policy. In some cases, the regions' actions in these areas actually benefit Russia; however, the federal government's toleration of such interference in areas of federal jurisdiction sets a bad precedent, as the regions' actions frequently undermine the policies of the federal government. The inability of Russia to regulate the regions' influence in these spheres also presents significant dilemmas for any countries that interact with Russia, to include the United States, as they must determine to what extent the regions should be incorporated into diplomatic activities. Although the regions' influence on the military and foreign policy has not yet been more than a mild irritant, the regions hold the potential to significantly undermine both the security and stability of the country.

President Vladimir Putin recently initiated reforms aimed at restricting the power of the regional leaders. While these reforms have elicited criticism for the centralization that they will no doubt induce, they do target some of the key problems in the balance of

power between the central and regional governments, to include the contradictory legal framework and the dearth of checks on regional power. However, further reforms are needed, to include the difficult task of restructuring Russia's constituent units along more rational lines. Russia faces tremendous obstacles in creating a stable federation. However, any reticence in dealing with the growing power of the regions will only lead to the further strengthening of regional tsars, resulting in increased threats to the security and stability of the country.

## **I. INTRODUCTION**

### **A. PURPOSE**

With the collapse of the Soviet Union in 1991, Russia faced tremendous challenges in reforming the structure of both its political and economic systems. Overcentralization had plagued the USSR for many years, but decentralization was a contentious issue which would necessitate a larger role for the regions. The Soviet Union, a federation only in name, was actually a unitary state with the constituent Soviet Socialist Republics having no real power. The dissolution of the Soviet Union provided the opportunity for a new quest for power by the constituent units of the Russian Federation. With the economic and political chaos that engulfed Russia in its early years, no legal framework existed to codify the relations between the regional governments and the central government. The legal framework for federal relations in Russia began to emerge only after regions had to a great extent already defined their own spheres of power. As a result, attempts to codify center-periphery relations continue to face an uphill battle, with the central government attempting to limit or reduce the preexisting power of the regions. Since 1992, numerous haphazard attempts have been made to delineate the regional and central spheres of power, to include the 1992 Federation Treaty, the 1993 Constitution, and numerous bilateral treaties in the years that followed. Despite these efforts to provide clear powers to both levels of government, the legal framework remains contradictory and vague. As a result of both the lack of federal structure early on, and its obfuscated nature at present, regional leaders have been provided with tremendous leeway. The ambiguity of the legal framework outlining federal relations in Russia is only exacerbated by the inability of the central government to enforce its laws.

The latitude provided to the regional leaders has significantly impacted both the separate regions and the country as a whole. Of particular concern within the regions is the extent to which local leaders have chosen to either inhibit or promote democratization. With little oversight from the central government, some regional leaders have attempted, with varying degrees of success, to become tsars within their

region. They have extended their realms of power to such an extent that many exert control over the press, fix local elections, promote laws contradicting those of the federal government and the Russian Constitution, and severely impinge on the human rights of those residing in their region, among other things. As regional tsars have sought to extend their power, they have in some cases intervened in areas traditionally controlled by the central government, such as the military and foreign policy. While at times the injection of regional leadership into these areas may benefit the central government, this added dimension does not come without risks.

## **B. IMPORTANCE**

In the early 1990s, many analysts expressed concerns that Russia would go the way of the Soviet Union, and disintegrate along national and/or regional lines. For a variety of reasons, this has not, and likely will not occur. This does not, however, mean that federal relations within Russia are solidified and closed to alteration. While federalism and its accompanying regionalization have in many ways benefited Russia, they have also created many problems, and have emerged as a source of instability. The nature of future center-periphery relations remains ambiguous. Until both central and regional powers are clearly delineated, there will always be room for either the central or regional leaders to attempt to manipulate relations to their advantage. These power struggles are only exacerbated by Russia's antiquated federal structure, which poorly suits the country today. Characteristic of the current flexibility in relations are the recent attempts by President Putin to reexert control over the regions. With power continuing to fluctuate between the center and the regions, and regional leaders attempting to expand their spheres of power, the future stability and security of Russia remain in question.

## **C. MAJOR QUESTIONS AND ARGUMENT**

In order to arrive at a prediction regarding the future potential for a strong and stable federation to emerge in Russia, this thesis will first examine the foundations of the current federal relations and establish the source and evolution of regional power. Because the basic foundations for federalism were established in 1993, the determination of the implications of regionalism will focus on the period from 1993 to present. Intertwined with the political and security dimensions of the regions' ascendancy are a multitude of other issues, to include such things as taxation, trade, crime, and ethnicity.

All of these issues, as they affect the center-periphery relationship, are extremely complex issues. Unfortunately, due to the need to constrain the topic, they will not be dealt with in detail. Instead, they will be addressed only when necessary in order to clarify the discussion.

Once the basis of federalism in Russia is established, this thesis will examine the effects of the current structure of the Russian state on issues both internal and external to the regions. An examination of the implications of regionalism within the regions themselves will focus on determining the extent to which the regional leaders have become tsars within their regions by evaluating the extent to which rule of law exists, whether local elections are free and fair, whether individuals' rights are respected, and the extent to which the press is free. While these variables will certainly vary significantly across the regions, this examination will seek to uncover general trends in behavior across the regions. Additionally, examples of particularly blatant violations of democratic norms by specific leaders will be provided as a demonstration of the instability local leaders are capable of producing.

The emergence of regional leaders who feel unconstrained in their behavior has encouraged the expansion of regional influence into a variety of realms that are intended to be under the control of the federal government, thus affecting Moscow's ability to establish coherent national policy. Although the regions' influence on the central government extends into many realms, perhaps most threatening to security and stability of Russia is their influence on the military and foreign policy. As such, this thesis will examine the extent to which the regions have been able to carry their influence over into these realms, and propose both its benefits and risks, actual and potential.

The final question to be dealt with in this thesis is the future of regional tsars in Russia. Putin's recent efforts to reestablish control over the regions will be examined and evaluated in regards to their ability to reverse the emerging trend of authoritarianism in the regions. Additionally, recommendations will be made regarding ways in which Russia might strengthen its federal structure in the future in order to further restrain the actions of regional leaders. Should Russia fail to rein in the regional tsars, the country's future as a stable and secure federal state could be undermined.

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## **II. EVOLUTION OF CENTER-PERIPHERY RELATIONS**

### **A. INTRODUCTION**

In order to understand the complicated implications of regionalism today, it is first necessary to determine how the relationship between the central and regional governments has evolved since the collapse of the Soviet Union, the obstacles that have impeded attempts to codify relations, and the nature of the legal framework that guides today's center-periphery relations. The devolution of power from Russia's central government to its regional governments did not occur in a linear manner; instead, power has vacillated between the two levels of government. This fluctuation has primarily resulted from the lack of a clear legal delineation of power between the regional and federal governments. Instead of one clear body of law regulating the relationship between the center and the periphery, various legal frameworks have evolved over time, which contain numerous contradictions and ambiguities. The reasons Russia has faced such difficulties in developing a true federation are varied, and include such things as the historical legacy of Soviet pseudo-federalism, problems induced by the inequality in the status of various regions, conflicting views on regional versus federal jurisdiction, the allocation of regions' resources, and conflicting views of federalism itself.

### **B. HISTORICAL PERSPECTIVE**

Had the Russian government been able to develop a federal structure from scratch, they no doubt would have been much more successful. Instead, by carrying over much of the Soviet structure to the Russian state, problems abounded from the beginning. During Soviet times, the Russian Federation, then the Russian Soviet Federative Socialist Republic (RSFSR), was one of fifteen Union Republics which comprised the Soviet Union. Officially the Soviet Union was described as a federation, with the Union Republics supposedly possessing the right to secession. However, despite the development of "an elaborate constitutional façade that granted varying degrees of self-determination and autonomy to the bewildering array of Eurasian peoples that were conquered and assimilated into the Russian empire over centuries," in reality, the Soviet

Union was a unitary state "run strictly from Moscow."<sup>1</sup> Within the RSFSR were three levels of administrative units: autonomous republics, which were comprised of significant national minorities, territorially based regions (*oblasts and krais*), where Russians predominated, and autonomous regions (*oblasts*) and districts (*okrugs*), where smaller ethnic groups resided (see Appendix).<sup>2</sup> The autonomous republics were created with the intention of providing some of Russia's larger ethnic minorities with their own national homeland. Despite this intention, the majority population of many of the republics was, and continues to be, Russian. Indeed, in only four of the twenty-one republics of the Russian Federation do the titular nationally actually represent a majority of the population.<sup>3</sup> During Soviet times, the ethnic republics received privileges which the territorially based regions did not, to include being "endowed with the trappings of statehood."<sup>4</sup> Due to the weak ethnic foundations of many of the republics, the territorial regions resented the special privileges that were awarded to the republics. However, these additional rights did not provide the ethnic republics with the same benefits as the Union Republics, which were also based on ethnicity. The ethnic republics of the RSFSR "were not officially sovereign and did not have even the nominal right of secession that the Union republics enjoyed....[and] enjoyed far fewer cultural amenities than the titular nationalities of the Union republics."<sup>5</sup> The differentiation between both the ethnic republics and Union Republics in the Soviet Union, and between the ethnic republics and territorial divisions within the RSFSR existed as sources of tension even prior to the collapse of the Soviet Union.

In 1990, several events transpired which initiated the emergence of Russia's regions as players in the political arena. The first of these was the growing realization that the days of regional elites answering only to central officials were quickly drawing to

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<sup>1</sup> Fred Weir, "Putin Moves to Govern Governors," *The Christian Science Monitor* (18 May 2000); internet; available from <http://www.csmonitor.com/durable/2000/05/18/p6s1.htm>; accessed 18 August 2001.

<sup>2</sup> Martin Nicholson, *Towards a Russia of the Regions* (Oxford: Oxford University Press), 12.

<sup>3</sup> These republics are: Chechnya, Chuvashia, North Ossetia, and Tuva; in Nicholson, *Towards a Russia of the Regions*, 16.

<sup>4</sup> Elizabeth Teague, "Center-Periphery Relations In Russia," *National Identity and Ethnicity in Russia and the New States of Euroasia*, (Armonk, N.Y.: M.E. Sharpe, 1994), 26.

<sup>5</sup> Ann Sheehy, "Russia's Republics: A Threat to Its Territorial Integrity?" *RFE/RL Research Report* 3, no. 20 (May 1993), 36.

a close. The initiation of local legislative elections across the Soviet Union in 1990 "rang the death knell to the days of unchallenged democratic centralism as regional politicians became aware that soon they might be more accountable to their local constituents than to their bosses in Moscow."<sup>6</sup> The advent of local accountability encouraged regional elites to find ways to enhance their power.

While the creation of local legislatures through popular elections led to regionalist tendencies in both Russia's territorial regions and republics, the republics led the way in challenging the central government for power. Provoking declarations of sovereignty by Russia's autonomous republics was a law passed by the Soviet parliament in April 1990 that equalized the status of the autonomous republics with that of the Union Republics. Although the law was intended to reduce the status of the Union Republics, it instead, by seeming to raise the status of the autonomous republics, provoked them to follow the lead of the Union Republics and issue their own declarations of sovereignty.<sup>7</sup> The Russian leadership resented Gorbachev's apparent efforts to raise the status of the autonomous republics, which they saw "as threatening the territorial integrity of the Russian Federation, particularly as not all the Russian republics were willing to offer their support to Yeltsin."<sup>8</sup>

In an attempt to counter Gorbachev's actions "to fragment his rival's power-base in Russia,"<sup>9</sup> Yeltsin sought to win over the leadership of the autonomous republics. After having been elected chairman of the Russian parliament in August of 1990, Yeltsin told audiences in Russia's republics that "he would not make Gorbachev's mistake of resisting demands from the republics for more rights...[and] reiterated the view...that power structures should be formed from the bottom up."<sup>10</sup> He then went on to tell the leaders of the autonomous republics to "take as much autonomy as you can swallow."<sup>11</sup>

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<sup>6</sup> Jeff Kahn, "The Parade of Sovereignities: Establishing the Vocabulary of the New Russian Federalism," *Post-Soviet Affairs* 16, no. 1 (2000), 61.

<sup>7</sup> Teague, 29.

<sup>8</sup> Sheehy, 37.

<sup>9</sup> Nicholson, *Towards a Russia of the Regions* 14.

<sup>10</sup> Sheehy, 37.

<sup>11</sup> Teague, 30.

This statement only further encouraged the autonomous republics to move ahead with their declarations of sovereignty.

While Yeltsin's deference to the republics aided him in the short term, it created problems following the collapse of the Soviet Union in 1991 as the republics sought to increase their economic and political autonomy. Fearful that Russia would go the way of the Soviet Union and be ripped apart by ethnic separatism, Yeltsin sought to appease the republics through a variety of concessions.<sup>12</sup> Unfortunately, these actions only served to alienate the territorial regions. In attempts to enhance their own status, some territorially based regions began declaring themselves to be republics. Others simply went ahead and declared their sovereignty.

As the drafting of a new Russian constitution began, the structure of federalism became a particularly contentious issue. Up for discussion were such issues as whether sovereignty would reside with the center or the regions and whether the constituent units of the federation would be the existing ones, or new ones equal in status.<sup>13</sup> Due to the complexity of these issues and the growing tensions between the central government and both the territorially and ethnically based regions, progress on developing a new constitution was exceedingly slow. With the regions exerting increasingly separatist tendencies, fears abounded that Russia would disintegrate.

In the absence of a constitution to regulate center-periphery relations, Yeltsin sought out ways to limit the powers of the regional governments. In the fall of 1991, Yeltsin created two new positions in each region: a presidentially-appointed head of administration, or governor, and a presidential representative. Although the appointment of governors was intended to produce officials loyal to Moscow, many of the governors transferred their loyalties to their region, and led the efforts to gain increased independence from Moscow.<sup>14</sup> The attempt to rein in the regions through presidential representatives proved to be no more successful than the appointment of governors. The

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<sup>12</sup> Ibid.

<sup>13</sup> Gail W. Lapidus and Edward W. Walker, "Nationalism, Regionalism, and Federalism," *The New Russia*, 92.

<sup>14</sup> Josephine Andrews and Kathryn Stoner-Weiss, "Regionalism and Reform in Provincial Russia," *Post-Soviet Affairs* 11, no. 4 (1995), 387.

representatives, intended to be the "eyes and ears of the emperor," were resented in the regions, and received little cooperation from local officials.<sup>15</sup>

### C. FEDERATION TREATY

After the preceding attempts failed to control the regions, and lacking a constitution to provide a legal basis for center-periphery relations, Yeltsin sought to alleviate tensions with three federative treaties in 1992. Although these treaties came to be known collectively as the Federation Treaty, in reality it was a series of three treaties: one between Moscow and representatives of eighteen of the twenty-one ethnic republics (Tatarstan and Chechnya abstained), one between Moscow and the Federation's oblasts and krais, and one between Moscow and the autonomous okrugs and the Jewish Autonomous Oblast.<sup>16</sup> The treaty was intended as a sort of holding operation to provide stability to center-periphery relations until an acceptable constitution could be adopted.

The Federation Treaty perpetuated the tradition of asymmetrical federalism in Russia with the republics being considered autonomous states within a federation, while the territorially based regions were considered to be administrative units of a unitary state.<sup>17</sup> Additionally, the republics were given control over the natural resources on their territory, which the territorial divisions lacked, and were given greater control over Moscow's ability to declare a state of emergency within their territory. The Federation Treaty did succeed in outlining the division of authority between Moscow and the republics and territorial regions; however, the particulars regarding the execution of responsibilities that were to be shared by both the center and the regions were not clearly specified resulting in the potential for future disagreements.<sup>18</sup>

The Federation Treaty was further undermined by the refusal of Tatarstan and Chechnya to sign the treaty. Chechnya's refusal had little impact on the evolution of center-periphery relations in Russia, as it was largely "the product of Chechnya's

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<sup>15</sup> Ibid., 386.

<sup>16</sup> Lapidus and Walker, 93.

<sup>17</sup> James Hughes, "Moscow's Bilateral Treaties Add to Confusion," *Transition* 2, no. 19 (20 September 1996), 39.

<sup>18</sup> Teague, 36.

historical experience and contemporary political turmoil.”<sup>19</sup> It is significant to note at this point that Chechnya’s separatism was “the aberration...[because] Chechens have been bucking Moscow’s yoke for centuries; their fundamentalist orientation has attracted outside support; and their external border makes independence at least a possibility.”<sup>20</sup> Contrary to Chechnya’s refusal to sign the treaty, Tatarstan’s refusal was “a form of brinkmanship designed to secure an advantageous arrangement with the federal center...[which] set a benchmark for the aspirations of other republics and regions.”<sup>21</sup>

Despite hopes that the Federation Treaty would stabilize center-periphery relations in Russia, it failed to restrain the regions in their efforts to widen their spheres of power. This was particularly true of the territorially based regions, which resented the special privileges granted to the ethnic republics in the treaty. Their pursuant actions included such things as “unilaterally adopt[ing] their own constitutions and upgrad[ing] their status to ‘republic within the Russian Federation.’”<sup>22</sup>

#### **D. 1993 CONSTITUTION**

The next benchmark in relations between the central and regional governments in Russia was the 1993 Constitution, which remains the central document for defining center-periphery relations. The events leading up to the adoption of the Constitution, characterized by the conflict between Yeltsin and the parliament, will not be discussed here except to say that the conflict provided the regions with further means to expand their powers. In efforts to gain the support of the regions in the crisis, both Yeltsin and the parliament appealed to the provincial leaders for support, thus demonstrating the extent to which power had devolved from the center to the regions.<sup>23</sup>

In the Constitution that emerged, the status of the territorially based regions was upgraded, as all of the eighty-nine constituent units of the Russian Federation were assigned equal status. As a result, the Constitution eliminated both the rights of the

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<sup>19</sup> Nicholson, *Towards a Russia of the Regions*, 16.

<sup>20</sup> Clifford Kupchan, “Devolution Drives Russian Reform,” *The Washington Quarterly* (Spring 2000): 6 [database on-line]; available from Lexis-Nexis.

<sup>21</sup> Nicholson, *Towards a Russia of the Regions*, 16.

<sup>22</sup> Hughes, 40.

<sup>23</sup> Teague, 46.

republics to call themselves sovereign and their right to secede from the federation.<sup>24</sup> Additionally, whereas the republics had previously possessed unilateral jurisdiction over their natural resources, the new Constitution relegated the issue to joint jurisdiction between the republics and the central government.

However, some differentiation remained between the ethnically and territorially based regions, with only the republics able to adopt their own constitutions and state languages. The territorially based regions were given permission only to adopt charters or statutes.<sup>25</sup> Like the Federation Treaty, the Constitution outlined areas of regional, central, and joint control. Unfortunately, the Constitution did no better than the treaty in explaining how joint jurisdiction was to be employed. An additional flaw with the Constitution was its failure to elucidate the status of the Federation Treaty. As a result, the regions continue to justify their actions based on whichever document provides them with the greatest advantage. Overall, the Constitution "failed to clearly define substantive issues of power-sharing between the center and the federation subjects."<sup>26</sup> Dissatisfaction with the Constitution became evident right away, because although 58.4 percent of voters nationwide supported the Constitution, it was not ratified in forty-two of the eighty-nine regions.<sup>27</sup> Thus, the majority of the subjects did not consent to membership in the federation, only serving to further weaken the foundations of center-periphery relations in Russia.

While it would typically be assumed that the acceptance of the Constitution would provide the final word on center-periphery relations in Russia it failed to do so, due to a provision allowing for "executive organs of the federal government, by mutual agreement, to delegate some of their powers to the regions and republics, and likewise executive organs of the regions and republics can delegate some of their powers to the

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<sup>24</sup> Nicholas J. Lynn and Alexei Novikov, "Refederalizing Russia: Debates on the idea of federalism in Russia," *Publius* 27, no. 2 (Spring 1997): 4 [database on-line]; available from ProQuest; accessed 2 May 2001.

<sup>25</sup> Joan Debardeleben, "The Development of Federalism in Russia," *Beyond the Monolith* (Washington, D.C.: The Woodrow Wilson University Press, 1997), 44.

<sup>26</sup> Hughes, 40.

<sup>27</sup> Cameron Ross, "Federalism and democratization in Russia," *Communist and Post-Communist Studies* 33, no. 4 (December 2000), 407.

federal government.”<sup>28</sup> This provision, combined with the allowance in the Constitution for federal relations to be regulated by the Constitution, the 1992 Federation Treaty, and other treaties, opened the way for the bilateral agreements between Moscow and the regions that emerged from 1994 to 1999.

#### E. BILATERAL TREATIES

The signing of the first bilateral treaty between Moscow and Tatarstan in February of 1994, marked a new stage in the development of federalism in Russia. Instead of the constitutional federalism that had prevailed since the collapse of the Soviet Union, Russia began to establish federal relations on a more contractual basis.<sup>29</sup> The treaty with Tatarstan, while not intended to become a model for relations with other regions, clearly raised Tatarstan above the status of equals that was prescribed by the Constitution. The treaty even went so far as to provide for Tatarstan to be regarded as a state joined with the Russian Federation.<sup>30</sup>

With no region willing to be outdone in the grasp for more power, treaties were soon negotiated with a number of the ethnic republics, to include Bashkortostan, Sakha, Kabardino-Balkyria, North Ossetiya-Alaniya, Buryatiya, and Udmurtiya, in 1994 and 1995. This series of treaties only served to exacerbate Russia’s asymmetrical federalism. The treaties described the relationship between Russia and the constituent members in a variety of ways, and accorded a wide range of rights to regions. Characteristically, contrary to the status of Tatarstan, Bashkortostan was described as “a sovereign state within the Russian Federation,” Kabardino-Balkyria was described as “a state with the Russian Federation,” and Udmurtiya was simply described as “a republic.”<sup>31</sup> In addition to differentiating the status of the regions, the treaties also augmented the ambiguity of center-periphery relations, with the constitutions of the republics being assigned varying degrees of strength in relation to the federal Constitution.

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<sup>28</sup> Lapidus and Walker, 101-102.

<sup>29</sup> Kathryn Stoner-Weiss, “Central Weakness and Provincial Autonomy: Observations on the Devolution Process in Russia,” *Post-Soviet Affairs* 15, no. 1 (1995), 92.

<sup>30</sup> Nicholson, *Towards a Russia of the Regions*, 20.

<sup>31</sup> Hughes, 41.



In 1995, with the 1996 presidential election approaching, Yeltsin sought to broaden his base of support in the regions by extending the negotiation of bilateral treaties to the territorially based regions. Thus, in the first six months of 1996, sixteen treaties were signed with the regions, and by mid-1999 forty-six of eighty-nine regions had negotiated a treaty with Moscow.<sup>32</sup>

Critics of the bilateral treaty process argue that it has undermined the Constitution, and succeeded in making center-periphery relations even more ambiguous. Exemplifying this, many of the treaties contradict the Constitution and describe delineations of power contrary to those outlined as either federal, regional, or joint in the Constitution. As a result, federalism "has developed into a mesh of overlapping jurisdictions and complex interactions between state and sub-state actors."<sup>33</sup> Although Yeltsin signed legislation in both 1996 and 1999 reaffirming the supremacy of the federal Constitution over the treaties, little has been done to ensure that this occurs. Additionally, while the treaties were initially used to buy off the regions, "the treaties and agreements themselves amount to a rather inconsistent and vague regional policy conditioned more by demands placed on the central government than any cohesive federal government strategy aimed at containing only the most rebellious regions."<sup>34</sup> The ambiguity of the treaties in relation to the Constitution and the Federation Treaty has only served to further complicate Russia's center-periphery relations.

However, it has also been argued that the treaties have benefited the Russian Federation insofar as they have limited secessionist tendencies. The treaties have been successful in accomplishing this because their bilateral nature allows Moscow to tailor the agreement to the particular interests of the regions, considering their differing economic development, strategic location, culture, and ethnicity.<sup>35</sup> While this may indeed be the case, Moscow has not succeeded in restraining the regions without a price, as it appears that the treaty process has largely favored the regional governments over the central government.

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<sup>32</sup> Nicholson, *Towards a Russia of the Regions*, 21.

<sup>33</sup> Hughes, 39.

<sup>34</sup> Stoner-Weiss, "Central Weakness and Provincial Autonomy: Observations on the Devolution Process in Russia," 93.

<sup>35</sup> Hughes, 43.

To the extent that the bilateral treaties were intended to restrain the regions, or at least to provide stability and predictability to center-periphery relations in Russia, they failed. This failure has resulted in large part from the inability of the central government to fulfill its responsibilities in areas of federal jurisdiction. The vacuum created by a lack of central leadership in the years after the signing of the treaties was only exacerbated by the 1998 financial crisis, which served as an accelerator to regionalization. In the wake of the crisis, the central government failed to provide assistance or guidance to the regions, resulting in attempts by the regions to look out for their own interests at everyone else's expense.<sup>36</sup> The extent to which power devolved to the regions during this time is evidenced by concerns at the time that Russia was progressing towards either a confederation, or even worse, disintegration.

#### F. CONCLUSION

In the absence of any framework to guide center-periphery relations in the years immediately following the collapse of the Soviet Union, Russia's regions succeeded in grasping a tremendous amount of power over functions that had previously fallen under the sole jurisdiction of the central government. As a result, all attempts by the central government to reexert control since then have encountered the difficult challenge of wresting power *from* the regions. The multiple attempts of delineating the appropriate federal and regional spheres of power appear to have been nothing more than short-sighted band-aids attempting to staunch the devolution of power to the periphery, without providing Russia with a definitive legal framework to guide and resolve center-periphery issues. The uphill battle of the center against the regions prevented Russia from carrying out a much needed overhaul of their antiquated asymmetrical federal structure. The dangers to Russia's security and stability that were created by the aforementioned failures of the central government will become readily apparent in the chapters that follow.

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<sup>36</sup> Gail W. Lapidus, "Asymmetrical Federalism and State Breakdown in Russia," *Post-Soviet Affairs* 15 no. 1 (1999), 79.

### **III. POLITICAL IMPLICATIONS OF REGIONALISM: THE RISE OF REGIONAL TSARS?**

#### **A. INTRODUCTION**

As Russia began the transition from an overly centralized state to a federal state, regionalism was viewed in a favorable light. It was thought that the foundation of regional centers of power would serve as a check on the central government, thus preventing the rebirth of authoritarianism in Russia and furthering democracy. In truth, regionalism, leading to federalism, has had mixed results for the emergence of democracy in Russia's regions. Instead of fostering democracy from the bottom up, regionalism has led to the emergence of authoritarian regimes in one-third of Russia's regions.<sup>37</sup> Lacking both horizontal and vertical checks on the power of the regional leaders, the degree to which democracy prevails is left to the discretion of those leaders. While in some rare cases regional leaders have promoted, or at least not impeded, democracy in their regions, it is far more common to find regional leaders who will do whatever is necessary to maintain their power. As a result, such things as rule of law, free press, free and fair elections, and respected human rights have suffered tremendously. This chapter, through an examination of the extent to which regional tsars have emerged, will also illuminate the rotten foundations of Russia's federal structure. Without a strong, equitable, and enforceable framework guiding center-periphery relations in Russia, the regions will no doubt succeed in enhancing their own power at the expense of democracy in Russia.

#### **B. FEDERALISM AND DEMOCRACY**

Federalism is generally considered to be beneficial to democratization, because it "curbs arbitrary rule, both at the center and locally. It decentralizes responsibility while providing a mechanism to restrain potential local conflicts and abuses. It provides a school of democracy, and it quite literally brings government closer to the people."<sup>38</sup> As such, it would seem that a federal structure was exactly what Russia needed. Unfortunately, though, the legal framework guiding Russia's federal relations emerged

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<sup>37</sup> Gordon M. Hahn, "Putin's 'Federal Revolution': The Administrative and Judicial Reform of Russian Federalism," *East European Constitutional Review* 10, no 1 (Winter 2001): 2 [journal on-line]; available from <http://www.law.nyu.edu/eecr/vol10num1/special/hahn.html>; accessed 2 May 2001.

<sup>38</sup> Ross, 417.

slowly and with great ambiguity. As a result, the early 1990s allowed the regions the opportunity to develop their local governments as they saw fit, with little oversight from the central government. The emergence of regional governments with a great deal of autonomy from the central government has "led the regions more often in the direction of dictatorship than democracy."<sup>39</sup> The implementation of a federal system of government, with the intended purpose of limiting the power of the central government instead had the unintended result of creating a multitude of local tyrants.

The 1993 Constitution permitted the regions to determine their own state institutions, thus allowing for diversity amongst the electoral systems of the regions and varying balances of power between the legislative and executive branches.<sup>40</sup> However, the federal government retained means by which to check the power of the local governments. Most controversial, was the constitutional provision stating that "Federal executive bodies and bodies of the executive authority of the members of the Russian Federation shall form a single system of executive authority."<sup>41</sup> This allowed for the presidential appointment of regional executives. The relationship between regional and federal executives became ambiguous when ethnic republics were provided the opportunity to elect their executive as early as 1991, while the territorially based regions had executives appointed by Moscow until 1995 when local elections were held. This only served to further undermine the Constitution, which considered all components of the federation to be equals.

The central government was provided further oversight of the regions through the Constitution, which allowed the Russian President to "suspend acts of executive bodies of Russian Federation members if they contradict the Constitution, federal laws or international obligation of the Russian Federation or constitute a breach of human and civil rights and freedoms, until the matter is decided by the appropriate court."<sup>42</sup> In practice, however, President Yeltsin was reluctant to interfere in the regional governments. Despite frequent violations of democratic norms by regional governments,

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<sup>39</sup> Ibid.

<sup>40</sup> Joan Debardeleben, 46.

<sup>41</sup> Ibid.

<sup>42</sup> Ibid, 47.

Yeltsin needed the support of the regional executives, thus allowing them the freedom to rule as they saw fit. Even if Yeltsin did have the desire to regulate the violation of human and civil rights and freedoms in the regions, it is doubtful that capable enforcement mechanisms could have been found. The ambiguous implementation and enforcement of the legal framework guiding the actions of local executives thus provided them with the means to rule as they wished, with the all too frequent result being an authoritarian-style regime.

### C. BENEFITS OF REGIONALISM TO DEMOCRACY

In respect to democracy in the whole of Russia, federalism has succeeded in limiting the power of the central government. However, at the regional level, the democratic benefits of regionalism are much more difficult to find. It appears that many of the regions that are characterized as progressive, are labeled this because of their economic, not political, reforms. However, even in those regions that are less liberal, they are somewhat democratic insofar as elections, although often unfair, frequently contain some amount of competition and uncertainty. Additionally, in the 1995/96 gubernatorial elections many incumbents lost their posts, thus providing evidence of competitive elections.<sup>43</sup>

In a few regions, local leaders have contributed to the advancement of free press and free and fair elections. Characteristically, in Sverdlovsk, Kaliningrad, Samara, and Moscow oblasts "there is intensive competition between several actors. Power is shared among dominant and subdominant actors within a formal institutional network, and elections provide the method of sorting out political collisions."<sup>44</sup> In particular, Samara has regular municipal elections, more than 3000 nongovernmental organizations (NGOs), and local media that support the governor's rival.<sup>45</sup> However, even these regions

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<sup>43</sup> Henry E. Hale, "The Regionalization of Autocracy in Russia," *Program on New Approaches to Russian Security Policy Memo No. 42* (November 1998): 2; internet; available from <http://fas.harvard.edu/~ponars/PLICY%20MEMOS/Hale42.html>.

<sup>44</sup> Andrei Makarychev and Jeronim Perovic, "Institution Building in Russia's Regions: The Challenge of Transformation and the Role of Globalization Forces," 3; internet; available from <http://www.isanet.org/archive/perovic.html>; accessed 27 July 2001.

<sup>45</sup> Anne Barnard, "Putin Challenger is Training Despite Success in Reforms," 2; internet; available from <http://www.pewfellowships.org/stories/russia/challenger.html>; accessed 2 August 2001.

experience problems with manipulated elections and controls on the press, as will be later demonstrated.

Some regional governments are also succeeding in responding to the needs of their population when the central government defaults on its obligations. Most common is the creation of regional social welfare programs, which are intended to be under the joint jurisdiction of the federal and regional governments. In the absence of a federal need-based program, some regions, such as Tatarstan, are creating their own need-based social welfare programs.<sup>46</sup> Similarly, in an effort to further provide for his constituents, the Samara governor, Konstantin Titov, authorized extra pensions in his region.<sup>47</sup> Despite his seemingly good intentions though, his actions further demonstrated a disregard for Russia's legal framework by intervening in an area of federal jurisdiction. Thus, these initiatives, though representing attempts to provide for their constituents, also demonstrate the ambivalence with which many regional leaders approach the legal framework that regulates their power. In these cases, the regional leaders' expansion of power at least had positive effects; however, as the next section shows, this is not always the case.

#### **D. DANGERS OF REGIONALISM FOR DEMOCRACY**

##### **1. Elections**

Contrary to the sparse evidence of democratic reforms in the regions, violations of democratic norms are all too frequent. The ethnic republics, which first began to elect their presidents in 1991, appear to be the trendsetters. Although democracy initially seemed to take hold in the ethnic republics, as evidenced by relatively competitive presidential elections early on, the leaders of the republics "have actually reversed these 'democratic' gains, cracking down on opponents and gutting local elections of any real choice."<sup>48</sup> The territorially based regions, which first held gubernatorial elections in

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<sup>46</sup> Kathryn Stoner-Weiss, "Central Weakness and Provincial Autonomy: The Process of Devolution in Russia," *Program on New Approaches to Russian Security Policy Memo No. 39* (November 1998): 3; internet; available from <http://www.fas.harvard.edu/~ponars/POLICY%20MEMOS/stoner-weiss39.html>; accessed 30 May 2001.

<sup>47</sup> Yelena Kornysheva, "Moscow Objects to Samara Extra Pension Payments," *Moscow ITAR-TASS*, 16 November 1999 [database on-line]; available from FBIS.

<sup>48</sup> Hale, 2.

1995 and 1996, seem to be following the example of the republics, with leaders not "learning how to contest elections more effectively, but [rather] how to thwart them."<sup>49</sup>

Many of the actions of the regional leaders that hinder the development of democracy revolve around the desire to maintain or increase their power. Fortunately, the regional leaders seem to feel obligated to maintain at least a façade of democracy, thus necessitating elections of some sort. By presenting a "democratic veneer" the regional leaders are able to limit the chances of federal intervention in their region.<sup>50</sup> However, the elections that do occur are full of abuses, to include such things as excluding the participation of opponents in elections, impeding others' campaigns, and manipulating the results.

Perhaps the easiest way for incumbents to manipulate elections is through "dirty tricks." Instead of focusing on issues, candidates instead attempt to achieve the advantage over their opponents by a variety of unethical actions. Most of these are relatively benign, to include the utilization of phony popularity ratings, anonymous letters, bogus leaflets, signs accusing opponents of theft, pedophilia, and homosexuality, and the practice of handing out campaign literature with pension payments.<sup>51</sup> More aggressive incumbents seek to influence voters by suddenly finding the money, no doubt through illegal sources, for a variety of 'good deeds' to include such things as sending doctors out to villages, paving roads, and installing gas lines to remote villages.<sup>52</sup>

Unfortunately, some incumbents have found it necessary to further impede their opponents' campaigns by more intrusive means. Exemplifying this, the president of Bashkortostan, Murtaza Rakhimov, managed to have all of his serious opponents removed from the ballot in a June 1998 presidential election.<sup>53</sup> The one opponent that was allowed to remain in the election was Rakhimov's forestry minister. It also appears that in order to further ensure his victory, the Bashkir Central Electoral Commission

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<sup>49</sup> Ibid., 3.

<sup>50</sup> Ibid., 4.

<sup>51</sup> Sergei Posharkov, "Finding One's Way Through the Political Fog," *The Current Digest of the Post-Soviet Press* (21 February 2001), 10.

<sup>52</sup> Ibid.

<sup>53</sup> Brian Whitmore, "Power Plays in the Provinces," *Transitions* 5, no. 9 (September 1998), 73.

(under the control of Rakhimov) printed three times as many ballots as there were eligible voters.<sup>54</sup> Rakhimov's machinations marked a significant setback for democracy in Bashkortostan, which had experienced a comparatively more fair and competitive presidential election in 1993. Unfortunately, the lesson Rakhimov had learned from the 1993 election, which turned into a real race despite Rakhimov's maneuvering, was that "he could not fight and win in a truly competitively race...[and that] he should have been more careful in making sure that no serious candidate could oppose him in the first place."<sup>55</sup>

Electoral abuses are not limited to the ethnic republics, with many of the territorially based regions providing serious competition for recognition as the most corrupt region. Similar to what occurred in Bashkortostan, the governor of Primorskii krai, Evgeny Nazdratenko, had several candidates removed from the ballot just days before the December 1999 gubernatorial election.<sup>56</sup> Additionally, in order to undermine the authority of his chief political opponent, Vladivostok mayor Viktor Cherepkov, Nazdratenko turned off the water and electrical power in Vladivostok and sabotaged its heating system, only to later have Cherepkov evicted from his office.<sup>57</sup>

In more subtle attempts to influence the outcomes of elections, incumbents manipulate local election laws, often resulting in laws that violate federal law. For example, while federal law prohibits uncontested elections, Tatarstan, Kalmykia, and Kabardino-Balkaria have all violated this law, with the president of Tatarstan having been elected to office twice in uncontested elections.<sup>58</sup> Similarly, federal law stipulates that the acceptable minimum turnout for elections to be considered valid is 25 percent. However, regions have varying altered this law so that regional elections require anywhere from a mere 15 percent minimum turnout, to as high as a 50 percent minimum

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<sup>54</sup> Tomila Lankina, "Showcase of Manipulated Democracy," *Transitions* 5, no. 9 (August 1998), 64.

<sup>55</sup> Hale, 2.

<sup>56</sup> Vitaly Tsoi, "Why Did Yevgeny Nazdratenko Win?" *The Current Digest of the Post-Soviet Press*, 51, no. 52 (26 January 2000), 14.

<sup>57</sup> Peter Kirkow, "Regional Warlordism in Russia: The Case of Primorskii Krai," *Europe-Asia Studies* 47, no. 6 (1995), 937.

<sup>58</sup> Ross, 415-16.



turnout in others.<sup>59</sup> Thus, in the absence of any denunciation from Moscow, the regions are left with the impression that federal laws guiding their behavior do not need to be respected.

The net result of the machinations of regional leaders is elections that exist in name only. Through their early experiences with executive elections, the ethnic republics found that as long as they continued to hold elections, thus maintaining a façade of democracy, the central government would do little if anything to punish their attempts to directly and/or indirectly manipulate the outcomes of the elections. Having been forced to wait until 1995 to hold their first executive elections, the territorially based regions were well aware of the electoral abuses being permitted in the ethnic republics. They learned from the republics and readily began manipulating their own elections, so well so that the incumbent governors in several oblasts, to include Orel and Moscow, have won their elections with over 90 percent of the votes.<sup>60</sup>

If candidates wish to challenge the illegal actions of the regional leaders they must turn to the regional court system. Although the courts, as will be discussed later, are increasingly coming under the sway of the regional leaders, they do seem to be able to check the most severe electoral abuses. For example, the governor of Koryak autonomous okrug, attempted to declare emergency rule after losing to his opponent in the 1996 gubernatorial elections; however, the court intervened and forced him to step down.<sup>61</sup> Similarly, when the president of Marii-El Republic attempted to cancel the region's election for chief executive, the region's supreme court overturned the decree.<sup>62</sup> These cases appear to be rare instances of judicial intervention, occurring perhaps only because the two regional leaders' actions would have destroyed the semblance of democracy in their respective regions. More recently, the courts seem to have become more active in regulating the elections, which has helped to restrain the candidates'

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<sup>59</sup> Ibid., 416.

<sup>60</sup> Hale, 3.

<sup>61</sup> Laura Belin, "Russia's 1996 Gubernatorial Elections and the Implications for Yeltsin," *Demokratizatsiya* 5, no 2 (Spring 1997), 176.

<sup>62</sup> Ibid.

campaign activities.<sup>63</sup> However, due to the extent to which regional leaders control the courts, the decisions of the courts tend to reflect the desires of the regional leadership.

## 2. Media

In their efforts to maintain and expand their power, regional governors frequently infringe on the freedom of the local press in their regions. With regional media dependent on federal subsidies which flow through the governors, regional leaders found they could exert control over the press, ensuring favorable coverage for themselves. Characteristically, in 1999 a local media company in Yaroslavl was told that if their television programs did not stop criticizing the local authorities and the governor, Anatoly Lisitsyn, they would lose their funding.<sup>64</sup>

Violations of the press' freedom have been particularly severe in Primorskii krai, even as early as 1993. Nazdratenko, who was governor of the region until February 2001, closed newspapers that were critical of him, stopped a TV channel from broadcasting after showing compromising video of him, and even hired criminal gangs to beat up critical journalists.<sup>65</sup> Such violations are not unique to Primorskii krai, however, as the firing of unsubmitive editors and journalists is a common occurrence in many regions.<sup>66</sup> In perhaps the most drastic case of all, aides to the president of Kalmykia, Kirsan Ilyumzhinov, were arrested by federal authorities for the murder of a reporter who had been investigating the corruption of Ilyumzhinov's administration.<sup>67</sup> Ilyumzhinov, of course, remains in power.

During election campaigns the regional press is further utilized to not only promote the incumbent, but also to eliminate the prospects of the opponents receiving any favorable press or media access. In Bashkortostan, the public is provided with a pro-Rakhimov paper free of charge, while a pro-opposition paper was banned from being

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<sup>63</sup> Aleksei Makarkin, "Governors and Mayors are Being Elected in Court," *The Current Digest of the Post-Soviet Press* 53, no. 17 (23 May 2001), 15.

<sup>64</sup> Petr Akopov, "No Independent Media in Provinces," *Moscow Nezavisimaya Gazeta* (27 April 1999) [database on-line]; available from FBIS.

<sup>65</sup> Kirkow, 937.

<sup>66</sup> Vladimir Shlapentokh, Roman Levita, and Mikhail Loiberg, *From Submission to Rebellion* (Boulder: Westview Press, 1997), 210.

<sup>67</sup> Whitmore, 73.

published in the region.<sup>68</sup> Even in Samara, which is considered to be a more liberal region, the local media were warned by an employee of the gubernatorial press service prior to the gubernatorial campaign in 2000 that "if they wanted to live in Samara tomorrow, there must be no doubt of their loyalty to the retired governor," who was running for a seat he had previously given up.<sup>69</sup>

Much of the governors' ability to control the press is derived from the press' financial dependence on the regional government, which has increased in recent years. In the early 1990s, regional media frequently established relationships with local businesses and regional banks in order to avoid being unduly influenced by local authorities and power industrial groups.<sup>70</sup> This tactic provided the press in the regions with some degree of freedom. However, this all changed with the financial crisis of 1998. In the wake of the crisis, the media lost its alternative sources of funding, paper and printing costs skyrocketed, advertising revenue decreased, and the tax breaks and subsidies from the federal government were cut.<sup>71</sup> As a result of rising costs and decreased alternatives for funding, the regional governors "obtained affordable paper and printing services for publications they favored, effectively gaining the power to censor local newspapers."<sup>72</sup>

The secretary of the Russian Union of Journalists just recently commented that the "the signal coming out of Moscow today is telling regional authorities they can deal with the media as they like."<sup>73</sup> It does appear, though, that Moscow has recognized the lack of free press in the regions, and is taking some action to rectify the situation. A federal law was passed in early 2000, which allows for local publications to receive funding directly from the federal government, instead of through the regions.<sup>74</sup> While the

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<sup>68</sup> Andrei Tsygankov, "Manifestations of Delegative Democracy in Russian Local Politics: What Does It Mean for the Future of Russia?" *Communist and Post-Communist Studies* 31, no 4 (1998), 339.

<sup>69</sup> Vyacheslav Fedorov, "Samara Voters Alienated by 'Dirty' Governors Campaign," *Moscow Obshchaya Gazeta*, 29 June 2000 [database on-line]; available from FBIS.

<sup>70</sup> Virginie Coulloudon, "Russian Regional Media," *Nieman Reports* 53, no. 3 (Fall 1999): 1 [journal on-line]; available from ProQuest, 1.

<sup>71</sup> Radoslav Petkov and Natan M. Shklyar, "Power to the Regions," *Transitions* 6, no. 3 (March 1999), 41.

<sup>72</sup> Ibid.

<sup>73</sup> Fred Weir, "Media learn lesson from Moscow: Don't criticize," *Christian Science Monitor* (23 April 2001); internet; available from <http://www.csmonitor.com/durable/2001/04/23/p7s2.htm>.

<sup>74</sup> Konstantin Katanyan, "Local Newspapers Will Show Their Gratitude To The Kremlin," *The*

law certainly will not eliminate the regional leaders' ability to influence the content of the press, it does serve to limit to some extent their financial hold over the media.

### 3. Human Rights Abuses

In their efforts to maintain and expand their power, regional leaders are increasingly disregarding human rights in their regions, through direct action, and indirectly through their self-centered pursuit of power. Unfortunately, "there were no advantages in regionalization for ordinary people's human rights...[because] without a strong center able to protect citizens against the arbitrariness of local officials...the regional elite found it possible to violate individual human rights much more than in the past."<sup>75</sup> Exemplifying a blatant disregard for human rights, during the campaign for republic president in Bashkortostan in 1998, incumbent President Rakhimov had approximately sixty free-speech demonstrators in the republic's capital arrested.<sup>76</sup> In another case, the mayor of Moscow, Yuri Luzhkov, along with other regional leaders reintroduced the *propiska* system, which limited individuals' freedom of movement by requiring the would-be residents to register.<sup>77</sup> The Saratov governor also infringed on individuals' rights when he ordered all of the region's civil servants to join his political party, Yedinstvo, or risk losing their jobs.<sup>78</sup> The scale of the problem is best exemplified by Voronezh, where in 1998 it was determined that 399 regional directives violated human rights.<sup>79</sup>

All too often in the pursuit of more power and prestige, the regional executives fail to examine, or simply disregard, the wider implications of their actions for the population of their respective region. No case better demonstrates this than the actions of Nazdratenko, the governor of Primorskii krai, who has been accused of "illiterate and shortsighted policies that led to people's suffering."<sup>80</sup> In particular, Nazdratenko failed

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*Current Digest of the Post-Soviet Press* 52, no. 1 (2 February 2001), 15.

<sup>75</sup> Shlapentokh, Levita, and Loiberg, 211.

<sup>76</sup> Whitmore, 73.

<sup>77</sup> Nicholson, *Towards a Russia of the Regions*, 43.

<sup>78</sup> Yuliya Yeliseeva, "Saratov Governor Orders Civil Servants to Join Yedinstvo," *EWI Russian Regional Report* 6, no 15 (25 April 2001).

<sup>79</sup> Ross, 408.

<sup>80</sup> Whitmore, 72.

to ensure that the region's utility bills were paid, resulting in energy shortages year after year and people freezing to death.<sup>81</sup> While the region was short on funds, Nazdratenko ensured that he was not, as evidenced by a \$1 million prize he received "for his work as one of the world's great leaders," which in reality was more likely "simply a device to transfer state money to Mr. Nazdratanko."<sup>82</sup>

#### 4. Rule of Law

In addition to violating human rights in the regions, regional leaders also have little respect for both regional and federal laws. Violations of the 1993 Constitution are perhaps most pervasive, with the ethnic republics leading the way. The constitutions of the ethnic republics frequently contradict the federal Constitution on a variety of measures to include allowing republics to be considered subjects of international law, providing republics the right to secession, and allowing republics to conduct their own foreign policy and conclude international treaties and agreements.<sup>83</sup> In all, the constitutions of nineteen of the twenty-one ethnic republics contain measures that violate the federal Constitution.<sup>84</sup>

Disregard for federal legislation is also a problem, as evidenced by an examination of regional legislation from 1995 to 1997, which determined that half of the 44,000 acts violated either the Russian Constitution or federal legislation.<sup>85</sup> In one okrug alone there are 324 laws and statutes that violate federal law.<sup>86</sup> Several regions have challenged the supremacy of federal law, with Sakha requiring that all federal legislation

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<sup>81</sup> "No Heat or Hot Water for 15,000 in Russia's Far East," *Agence France Presse* (23 November 2000); internet; available from <http://www.russiatoday.com/news.php3?id=223548>; accessed 24 November 2000.

<sup>82</sup> Michael R. Gordon, "On Russia's Far East Fringe, Unrealpolitik," *The New York Times* (14 February 1999): 1, 3 [database on-line]; available from Lexis-Nexis.

<sup>83</sup> Aleksandr Bovin, "'Crisis' of Federalism Examined," *Moscow Izvestiya* (4 August 1998); database on-line; available from FBIS.

<sup>84</sup> Ross, 408.

<sup>85</sup> Ibid.

<sup>86</sup> Mikhail Rykhtik, "The Russian Constitution and Foreign Policy: Regional Aspects," *Program on New Approaches to Russian Security Policy Memo No. 160* (November 2000): 3; internet; available from <http://www.fas.harvard.edu/~ponars/POLICY%20MEMOS/Rykhtik160.html>; accessed 27 July 2001.

be passed in the lower chamber of its parliament before it becomes law within the region, and other regions reserving the right to suspend federal legislation altogether.<sup>87</sup>

While in some cases the passage of regional laws that violate federal laws does indeed represent a blatant disrespect for the federal laws, other contradictions may be unintentional and unknown. Frequently, the federal government fails to inform the regions about new federal legislation.<sup>88</sup> Additionally, some the violations of federal legislation may result from the federal government defaulting on its obligations. When the federal government does not take action in some of its spheres of power, the regions seek to fill the void.<sup>89</sup> The fact remains, though, that whatever the cause of or justification for the violation of federal laws, the federal government is not enforcing the supremacy of its laws. As a result of the lack of oversight and enforcement from the federal government, as well as due to the contradictions within the federal legal framework, regional authorities are able to interpret federal law to their own advantage and violate it without fear of punishment.<sup>90</sup>

In addition to showing little regard for federal law, regional leaders also are violating their own regional laws. For example, the previously mentioned Saratov governor, who ordered civil servants in the region to join his political party, did so in violation of a regional law "which mandates that the civil service is not based on party membership."<sup>91</sup> With few horizontal checks on their power, regional leaders pick and choose which laws they will follow.

## **5. Gubernatorial Elections**

As previously mentioned, although the presidents of the republics were elected as early as 1991, the governors of the territorially based regions were appointed by President Yeltsin until 1995. Until that time, the appointment of governors provided Yeltsin with a means to check the power of the local leaders. However, it was thought that the

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<sup>87</sup> Kahn, 84.

<sup>88</sup> Stoner-Weiss, "Central Weakness and Provincial Autonomy: The Process of Devolution in Russia," 4.

<sup>89</sup> Ibid., 5.

<sup>90</sup> Kirkow, 941.

<sup>91</sup> Yeliseeva.

introductions of elections would make the regional leaders more accountable to their constituents. Unfortunately, instead of constraining the behavior of the governors by making them answerable to their constituents, the governors instead "ruled like monarchs, using pocket parliaments, corrupted regional law enforcement bodies, and local mafias as vassals to carry out their will."<sup>92</sup>

Not only did the elections provide the governors with more freedom to exercise their will within their region, but they also made it more difficult for the Russian president to discipline and/or remove them. This problem was further exacerbated by Yeltsin's decision in 1995 to have the Federation Council composed of the top legislator and executive in each region. As members of the Federation Council, the regional leaders received immunity from prosecution, thus allowing them the freedom to act as they wished in their regions, without having to fear legal reprisal.<sup>93</sup>

Yeltsin announced that "he would 'respect the choice of the Russians' and cooperate with all elected governors," and that "the most important outcome of the elections...was that for the first time in history, the Russian people had chosen their own leaders."<sup>94</sup> However, he also warned the governors that "there are a lot of bosses who got big powers and immediately opened up their big pockets. They think they are far away from Moscow and there will be no control over them. They are wrong. We will start checking...and slap their hands to teach them a lesson."<sup>95</sup> Despite these warnings, though, the governors remained largely outside of the control of Moscow, with few vertical checks on their power.

## **6. Vertical Checks on Abuses**

It would be a mistake to think that the abuses of regional power only began once the regional governors were elected. The previous descriptions of electoral, media, human rights, and legal abuses show that the regional leaders were exceeding their bounds as soon as the Soviet Union collapsed. As early as 1991, Yeltsin recognized the growing abuse of power in the regions and created the position of presidential envoy.

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<sup>92</sup> Whitmore, 72.

<sup>93</sup> Ibid.

<sup>94</sup> Belin, 177.

<sup>95</sup> Whitmore, 72.

These envoys were to “bring home presidential and government decisions to the local administrators and dispatch objective information about the actual state of things there.”<sup>96</sup> The envoys were an ineffective check on regional power, as even when they did identify cases in which federal laws were not being implemented, the federal government took no action to rectify the situation.<sup>97</sup> Additionally, instead of fostering cooperation between the federal and regional levels of government, the presidential representatives only created resentment in the regions, with them being viewed as “a powerless and unnecessary infringement on the authority of elected governments in the provinces.”<sup>98</sup>

The Constitutional Court represents an additional federal check on regional abuses of power. However, the court has yet to effectively fulfill this role due to both difficulties in reconciling the various determinants of regional power (1992 Federation Treaty, 1993 Constitution, and bilateral treaties) and in ensuring that its rulings are implemented. In some cases, the Constitutional Court has successfully ruled against the abuses of the regional governments, to include a case in January 1997 in which it ruled against Udmurtia’s decision to abolish local elected government.<sup>99</sup> This time, the court’s decision was implemented by the regional government, but only after Yeltsin pressured the region to comply. Unfortunately, all too frequently the court’s decisions are left unfulfilled. In April 1996, the Constitutional Court ruled against the aforementioned *propiska* system that various regions had implemented, thus restricting the right of free movement.<sup>100</sup> However, the court’s decision was never enforced, and the *propiska* system endured.

The credibility of the Constitutional Court, already hindered by the unenforceability of its decisions, suffered further from the signing of the bilateral treaties in 1994 through 1999. Because the treaties contain a variety of provisions that contradict the federal Constitution, the court encounters difficulties in dealing with the regions’

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<sup>96</sup> Kathryn Stoner-Weiss, *Local Heroes: The Political Economy of Russian Regional Governance* (Princeton: Princeton University Press, 1997), 75.

<sup>97</sup> Stoner-Weiss, “Central Weakness and Provincial Autonomy: Observations on the Devolution Process in Russia,” 101.

<sup>98</sup> Stoner-Weiss, *Local Heroes*, 77.

<sup>99</sup> Nicholson, *Towards a Russia of the Regions*, 43.

<sup>100</sup> Ibid.



violations of the federal Constitution which are covered by their respective bilateral treaties.<sup>101</sup> As a result of the regions' propensity to disregard the Constitutional Court and due to the ambiguity of the legal framework it is supposed to enforce, the court "remains an ineffective body for stemming the rising tide of regional autonomy."<sup>102</sup>

The ineffectiveness of the federal checks on regional power is exacerbated by the presence of the Federation Council. After the change in its composition in 1995, resulting in the chief regional executive and legislator in each region becoming the regions' representatives in the Federation Council, the Federation Council has grown into a stronghold of regional interests. As such, they tend to support governors in their disputes with Moscow, to include the authoritarian governor Nazdratenko, and reject any federal encroachment on regional affairs.<sup>103</sup> As a result, the Federation Council serves "as a constitutional check on any legislative attempts by the Russian president or government to alter the balance of power between regions and the center."<sup>104</sup> This may change as Putin's reforms altering the composition of the Federation Council, to be discussed later, are implemented. However, in the near term, the Federation Council will remain an obstacle to attempts to rein in the regions.

## **7. Horizontal Checks on Abuses**

As ineffective as vertical checks on the abuses of the regional leaders' power have been, horizontal checks within the regions have been even more so. All too frequently, regional executives have expanded their power to such an extent that, through a variety of means, they are able to exert control over the regional legislative and judicial bodies. As a result, the regional leaders are able to further exploit their government position.

Regional leaders gain control over the legislative bodies in their regions by taking such measures as creating legislatures whose members are appointed instead of being elected, by allowing members of their administrations to be legislators, and by manipulating the structure and districting of the legislature, among other things. Perhaps the actions of Kalmykia president Kirsan Ilyumzhinov represent the most blatant

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<sup>101</sup> Ibid.

<sup>102</sup> Stoner-Weiss, "Central Weakness and Provincial Autonomy," 100.

<sup>103</sup> Ibid.

<sup>104</sup> Ibid.

example of the neutralization of the legislature by a regional leader. As early as 1993, Ilyumzhinov had already replaced Kalmykia's parliament with a smaller legislative body, which was then composed of "just thirty or so unelected deputies, personally selected by the President."<sup>105</sup> Regions such as Bashkortostan and Kareliia have created upper chambers in their regional assemblies for the sole purpose of incorporating the heads of the local administration in the legislative branch, with appointments made by the region's president or governor.<sup>106</sup> In other cases, the subjugation of the parliament is achieved more indirectly through the resources of the executive branch. Because the regional leaders control the media and financial resources in the region, they can ensure that those candidates they favor for the legislature receive the requisite funding and publicity, while those they dislike do not. The end result is that members of the legislature owe allegiance to the regional leaders. This was the case in Orlovskaiia oblast, with the net result being a parliament that "instead of providing checks and balances to the executive power...became an additional instrument of the [governor's] power."<sup>107</sup>

The pervasiveness of the regional leaders' control is further enhanced by the subjugation of the regional judiciaries. The courts in the regions are poorly financed by the federal budget, thus making them " beholden to equally stingy but more-corrupt regional authorities."<sup>108</sup> The utilization of regional funds to finance the courts has undermined their independence and is also contrary to the 1993 Constitution, which requires the funding for courts to come only from the federal budget.<sup>109</sup> Thus, regional leaders continue to influence the decisions of the regional courts, perpetuating "the long-standing Soviet tradition of 'telephone law', whereby the local judiciary operated at the behest of the local Communist Party boss."<sup>110</sup>

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<sup>105</sup> Sheehy, 40; and Ross, 415.

<sup>106</sup> Ross, 415.

<sup>107</sup> Tsygankov, 338.

<sup>108</sup> Hahn, 5.

<sup>109</sup> Ibid.

<sup>110</sup> Nicholson, *Towards a Russia of the Regions*, 42.

## E. CONCLUSION

Instead of fostering democracy in Russia's regions, federalism has provided Russia's regional leaders with a free hand to rule as they see fit within their domains. The absence of a framework to guide center-periphery relations in the early 1990s, combined with the ambiguous and inadequate framework that eventually emerged, allowed the regional leaders to grasp as much power as they could from the federal government. As a result of the tremendous power they acquired during this time, the regional leaders were able to effectively eliminate any horizontal checks on their power. Additionally, they learned that by maintaining at least a veneer of democracy they could limit the interference of the federal government in their regions. The emergence of regional tsars has significantly impeded the development of democracy within the regions. Also, because the behavior of the regional leaders has not been constrained, they are only been further encouraged to expand their influence into increasingly broader realms. As we will see in the next chapter, this expansion could potentially undermine the policies of the federal government and threatens the security and stability of the country.

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## **IV. SECURITY IMPLICATIONS OF REGIONALISM: THE MILITARY AND FOREIGN POLICY**

### **A. INTRODUCTION**

The emergence of regional tsars, brought about by the devolution of power away from the central government has also significantly impacted Russia's ability to control functions that are intended to be the responsibility of Moscow. Of particular concern, is the ability of the central government to exert influence over the military and foreign policy. While these functions are assigned to the federal government by the 1993 Constitution, the regions have increasingly sought out ways to extend their influence into these spheres. Although in some cases the regions' actions in these areas may in actuality benefit Russia, it is much more common for the regions' actions to undermine the federal government, resulting in threats to the security and stability of Russia. The inability of Russia to regulate the regions' influence in these spheres also presents significant dilemmas for any countries that interact with Russia, to include the United States, as they must determine to what extent the regions should be incorporated into diplomatic activities.

### **B. REGIONALISM'S INFLUENCE ON THE MILITARY**

#### **1. Background**

Since the collapse of the Soviet Union, the regions have increasingly gained influence over the armed forces stationed on their territory. Some of the expansion of the regional leaders' power into the sphere of the military has occurred out of necessity, resulting in cooperation between the military and local leaders. However, in other cases, the motives behind the regions' actions appear to be founded less on survival strategies than on a desire to simply gain more power. Regardless of motives, though, the regionalization of the military poses serious threats to Russian security of a type unheard of in Russia's past, when "rulers, before and after the revolution, were adamant about the idea that the army must obey only the center and in no way serve the whims of local authorities."<sup>111</sup> Furthermore, many of the regions' actions violate the federal

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<sup>111</sup> Shlapentokh, Levita, and Loiberg, 207.

Constitution, which designates defense and security policy as a function under the sole jurisdiction of the federal government.

## 2. Military/Regional Cooperation

With the living conditions of soldiers and officers growing increasingly worse, the military leadership looks to alternative sources to provide for their troops. In particular, the regions are playing a more significant role than ever before in enhancing the well-being of the military. Evidence abounds of the poor living conditions of the men. Due in large part to Russia's weak economy, as well as corruption in the central government, the soldiers often do not receive sufficient supplies. Exemplifying this is the lack of food given the troops. During just the first two months of 1999, "the amount of money appropriated for food purchases was enough for only 17 days. . .[and] supply officers scrambling to find additional resources [were] making titanic efforts to provide their soldiers with meals that meet minimal nutritional standards."<sup>112</sup>

As the military leadership seeks out ways to provide for the troops, they are progressively turning to the regions for assistance, particularly due to the failure of the center to remain accountable for the needs of the military. According to Stephen Blank, "both necessity and central encouragement have led officers and regional authorities to work with each other to supply those needs, often bypassing Moscow."<sup>113</sup> In some cases, the central government actually requests the help of the regions in providing for the troops, as was the case in December 1995 when Interior Minister Anatoly Kulikov requested the assistance of Stavropol's Territorial Administration in providing for the 54th division of MVD troops stationed there.<sup>114</sup> In other situations, the regions take the initiative to provide for the troops, as was the case in 1996, when "Sakhalin's local government decided to help the border troops and took up a collection from state and private enterprises."<sup>115</sup>

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<sup>112</sup> Alexander Alf, "Servicemen Granted Another Benefit," *The Current Digest of the Post-Soviet Press*, 51, no. 10 (1998), 12.

<sup>113</sup> Stephen J. Blank, "Russia's Armed Forces on the Brink of Reform," *Strategic Studies Institute* (16 March 1998), 31.

<sup>114</sup> *Ibid*, 30.

<sup>115</sup> Shlapentokh, Levita, and Loiberg, 206.

At times, the regional officials have actually received various rewards for assisting in providing supplies to the troops stationed on their territory. In 1995, the governor of Volgograd assisted in providing supplies to its local troops who were fighting in Chechnya.<sup>116</sup> In return, the central government permitted the government of Volgograd to withhold some of its federal taxes, in order for the region to further assist the troops.<sup>117</sup> Such interdependence between the military and the regional governments has become prevalent throughout Russia. Not only do many regions help with food and housing, but some also assist in providing energy and other vital supplies to the military and in funding both the local military commissars and the call-up and training of reserves.<sup>118</sup>

The benefits that the regions reap are both direct and indirect. In exchange for the military assistance provided by the regions, and in addition to allowing the regions to withhold some taxes, Moscow has also forgiven wage arrears or allowed the military forces in a region to assist with the harvest and other economic activities.<sup>119</sup> Because military service continues to be compulsory in Russia, many families are concerned about the treatment their sons receive while in the military. As a result, assistance provided to the military by a regional governor is a smart political move, resulting in the indirect benefit of increased political support and greater visibility at the national level.<sup>120</sup>

### 3. Self-centered Regions

Initially, it may appear that by the center empowering the regions to assist the military, through such things as tax breaks, the military will be better provided for. In many cases this is indeed true. However, we must also account for the quality of leadership in the regions. The autocratic leaders in charge in some of the regions care little about providing for the military. In one particular case, officials in Siberia received

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<sup>116</sup> Ibid.

<sup>117</sup> Ibid, 206.

<sup>118</sup> Nikolai Sokov, "The Reality and Myths of Nuclear Regionalism in Russia," *Program on New Approaches to Russian Security Memo No. 133* (2000): 3; internet; available from <http://www.fas.harvard.edu/~ponars/POLICY%20MEMOS/Sokov133.html>; accessed 30 May 2001.

<sup>119</sup> Mikhail Tsypkin, "Military Reform and Strategic Nuclear Forces of the Russian Federation," *European Security* 9, no. 1 (Spring 2000), 33.

<sup>120</sup> Sokov, 3.

money from the center targeted for helping to support the troops stationed there.<sup>121</sup> Instead of using the money for its intended purposes, "some local leaders ignored soldiers' interests and pocketed the money for themselves, obstructing the provision of basic supplies."<sup>122</sup>

Often times, local leaders act with their own interests in mind, neglecting to consider the wider implications of their actions. As a result, actions taken by the center to empower the regions, such as the transfer of control of the national electric power grid from the center to the regions, pose potential threats to the security of both the Russian military and that of other countries. A failure of regional officials to pay the wages of coal miners in Vladivostok in May of 1997, resulted in a miners strike, which in turn led to the need to shut off the power to various locations.<sup>123</sup> Unfortunately, among the various locations without power were "military ones, ensuring the country's security."<sup>124</sup> Increasingly, such things as electricity have become tools in political battles between the regional governors, who want more federal subsidies, and Moscow, while the broader consequences of their actions are disregarded.<sup>125</sup>

As power devolves to the regions, soldiers occasionally lose benefits they possessed with a centralized government. In one scenario in the Far East, regional officials in Khabarovsk ceased to give military men free train tickets, because the Ministry of Defense had not paid its bills.<sup>126</sup> With the central government no longer economically strong enough to provide its military with extra benefits, the regions are taking control of their own economies to ensure that federal officials will no longer "boost Moscow's economy at the expense of the rest of the country."<sup>127</sup> In these

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<sup>121</sup> Blank, "Russia's Armed Forces on the Brink of Reform," 30.

<sup>122</sup> Ibid.

<sup>123</sup> Boris Reznik, "Crisis in Maritime Territory," *Russian Press Digest*, 17 May 1997 [database on-line]; available from Lexis-Nexis.

<sup>124</sup> Ibid.

<sup>125</sup> Lucy Jones, "Power Cuts Make Surgery a Gamble in Far East," *The Moscow Times*, 30 May 1997 [database on-line]; available from Lexis-Nexis.

<sup>126</sup> Suzanne Possehl, "Russia's Far East Goes Its Own Way," *Journal of Commerce*, 24 August 1998 [database on-line]; available from Lexis-Nexis.

<sup>127</sup> Ibid.



economic and political battles between the center and the regions, it is the military and national security that suffer.

#### **4. Possibilities of Regional Control over the Military**

While cooperative efforts between the military and local governments is viewed favorably by the central government, concerns do exist that the growing interdependence between the military and the regions could eventually result in the regions gaining the ability to influence and even control the military. As the regions increasingly provide for the well-being of the troops, the military could potentially transfer their loyalties to their providers: the regional governments. In addition, the more that the military withdraws from the center's sphere of influence, the more difficult it will be for Moscow to reexert control over the military in order to mobilize resources or even simply rebuild the Russian military.<sup>128</sup> In addition to readiness and coordination suffering, Russia will face increasingly greater difficulties in planning "on a national basis for any kind of economic, military, or strategic operation."<sup>129</sup>

With the regions providing for the soldiers, "It is quite possible that if an emergency situation occurs these military units will betray their commanders in favor of the territorial administration."<sup>130</sup> This would result in local leaders possessing the ability to control military units that remain quite powerful. As discussed earlier, many of the regional leaders are not as rational and democratically minded as even the central government. The possible result of this could be, that with a regional governor acting as a "virtual tsar who answers to nobody and controls immense resources and power, we can see some preconditions for warlordism."<sup>131</sup>

Fear abounds that Russian politics will be remilitarized "not so much by armed forces as by would-be political leaders using them for private purposes."<sup>132</sup> For example, military forces loyal to a regional leader may be used "to support him in a bid for power

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<sup>128</sup> Blank, "Russia's Armed Forces on the Brink of Reform," 29.

<sup>129</sup> Ibid., 27.

<sup>130</sup> Ibid, 30.

<sup>131</sup> Stephen J. Blank, "Russian Democracy: From the Future to the Past," *Demokratizatsiya* (1996), 559.

<sup>132</sup> Ibid.

or secession.”<sup>133</sup> Already in Russia, “militaries participate in partisan politics and foreign policy, attack state policy, and form coalitions with disaffected regional leaders with impunity.”<sup>134</sup> Such trends, if left unchecked, could no doubt create significant problems for the federal government in the future.

However, despite the growing interdependence between the military and the regions, it appears unlikely that any sort of alliance resulting in the military forcefully backing a political leader will occur. Historically, Russia does not have a tradition of military intervention in politics.<sup>135</sup> Additionally, it would be difficult to execute in practicality. Because Russia’s military districts do not coincide with its administrative divisions, any military-political alliance against the center would necessitate unlikely coordination between the regional leaders in the territories comprising the military district.<sup>136</sup> In addition to the difficulties that would need to be overcome in forming such an alliance, it is doubtful that political leaders would “jeopardize their privileges by militarily challenging the center.”<sup>137</sup>

Despite the unlikelihood of the military shifting their loyalties to the regions, some regional officials have gained a greater role in the activities of the forces stationed on their territory. In the case of the Siberian Military District, in reciprocity for the aid that the regions provide, the military district seeks out the prior approval of the regional governments for their activities.<sup>138</sup> This would seem to indicate that power is being ceded to, rather than being taken by, the regions.

Of far greater concern are unilateral actions taken by the regions to exert control over the military stationed on their territory. Tatarstan demonstrated such a tendency in the early 1990s when the region “recalled its citizens from areas of interethnic conflict...and subsequently adopted legislation on military service that directly conflicted

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<sup>133</sup> Blank, “Russia’s Armed Forces on the Brink of Reform,” 31.

<sup>134</sup> Ibid., 8.

<sup>135</sup> Nicholson, “Towards a Russia of the Regions,” 68.

<sup>136</sup> Ibid.

<sup>137</sup> Ibid.

<sup>138</sup> Sokov, 3.

with federal statutes.”<sup>139</sup> The region continues to exert influence over the military, as evidenced by action taken by Tatarstan officials in September 1999 to suspend conscription in their territory.<sup>140</sup> This occurred as a result of Moscow violating its promises, and sending new recruits from Tatarstan, with little over forty days of service, into combat in Dagestan.<sup>141</sup> The serious nature of this action becomes more apparent when considering that the Russian military already suffers from a shortage of conscripts, even when they do have the support of the regions. Should more regions follow the lead of Tatarstan, Russia’s ability to build a sufficiently strong force structure would be placed in a precarious position.

The actions of regional leaders have also obstructed key national security policies. Initial evidence of this arose as a result of the controversial Chechen War of 1994-1996. The leader of Chuvashia, “openly challenged Yeltsin’s right to start the war in Chechnya and even issued an edict releasing Chuvashian recruits from participating in this war.”<sup>142</sup> Since then, Chuvash officials have banned their conscripts from being sent to dangerous areas.<sup>143</sup> With regional leaders controlling the actions of their local recruits, the central government will only find it increasingly difficult to field a cohesive force.

##### **5. Possibilities of Regional Control over Nuclear Weapons**

Although the possibility of regional governors controlling the military is threatening enough, even more of a concern is the possibility of local officials controlling the employment of nuclear weapons positioned in their regions. In the early 1990s, many were concerned that Russia might disintegrate into small nuclear states. Fortunately, this threat has appeared to be much more of a myth than a reality, as such an occurrence would create a situation in which

thousands of weapons and tons of fissile materials would be dispersed to new states with little safeguards infrastructure and little experience in controlling borders...[and] nuclear research, production, maintenance, and

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<sup>139</sup> Sam Nunn and Adam N. Stulberg, “The Many Faces of Modern Russia,” *Foreign Affairs* (March/April 2000), 52.

<sup>140</sup> “Tataria Suspends Conscription,” *The Current Digest of the Post-Soviet Press* 51, no. 37 (1999), 15.

<sup>141</sup> Ibid.

<sup>142</sup> Shaplentokh, Levita, and Loiberg, 125.

<sup>143</sup> Nicholson, *Towards a Russia of the Regions*, 66.

dismantlement facilities, plus uranium enrichment and plutonium separation facilities, could be inherited by new, unstable states.<sup>144</sup>

While nuclear separatism has not emerged as a credible threat to Russia's security, nuclear regionalism, "the possibility that Russia's regional leaders might establish de facto control over various nuclear assets on their territories," continues to concern Moscow.<sup>145</sup> In fact, one possible explanation for a recent proposal for creating a Joint Strategic Command is the government's fears of nuclear regionalism.<sup>146</sup> The creation of a Joint Strategic Command would centralize the command and control of nuclear weapons, thus increasing the security of the weapons and decreasing the possibility of them falling under the control of a rogue region. The possibility of the emergence of a nuclear region, though unlikely, must be considered a threat to the security of Russia. Particularly so because it has already been hinted at by the governor of the Krasnoyarsk region, Aleksandr Lebed, when in 1998, due to a failure of the central government to provide for the officers of a nuclear unit in his province, he stated, "I am seriously thinking of establishing territorial jurisdiction over it. We . . . are not rich yet, but in exchange for the status of a nuclear territory, we could feed the formation and become a headache for the world community."<sup>147</sup> If Lebed were to take such action, he would control three ICBM bases, two plutonium production facilities, and a factory producing submarine-launched ballistic missiles.<sup>148</sup> In general, though, such threats seem to be more accurately characterized as bargaining chips than as actual threats of action.

The real impact of the regional governments on Weapons of Mass Destruction (WMD) may actually be in regards to efforts at dismantlement. Weapons dismantlement programs in Russia have faced obstacles created by the regions in the attempt to gain revenue. Their actions have included such things as "levy[ing] discretionary tariffs as

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<sup>144</sup> Jessica Eve Stern, "Moscow Meltdown: Can Russia Survive?" *International Security* 18, no 4 (Spring 1994), 41.

<sup>145</sup> Sokov, 1.

<sup>146</sup> Tsypkin, 33.

<sup>147</sup> Joseph Cirincione, "Nuclear Free-Fall," *The Washington Quarterly* (Winter 1999): 3 [database on-line]; available from Lexis-Nexis.

<sup>148</sup> Ibid.

tribute for the use of their infrastructure in WMD dismantlement...[and] unilaterally impos[ing] prohibitive transportation taxes that have retarded the transfer of dismantled fissile materials to safe storage depots.”<sup>149</sup> The actions of the regions have also impeded Moscow’s chemical weapons disarmament, undermining the ability of Russia to uphold the Chemical Weapons Convention.<sup>150</sup>

## **6. Conclusion**

The cooperative tendencies readily apparent between the regional governments and military in Russia appear to be the most prevalent impact that regionalism has had on Russia’s military. However, while regional initiatives to exert some amount of control over the military are far fewer, they cannot be completely ignored. Although many of the regions’ actions clearly violate the 1993 Constitution, Russia has done little to bring the regions’ actions back in line with the country’s legal framework. As long as regions are left with the impression that the range of acceptable actions expands beyond what the law provides for, the possibility of nuclear separatism and/or regional warlordism will continue to threaten Russian security.

## **C. REGIONALISM’S INFLUENCE ON FOREIGN POLICY**

### **1. Background**

In addition to extending their influence into military affairs, regional leaders have also begun to interject themselves into the sphere of foreign policy. Increasingly, regions are pursuing relations abroad. Many of the regions’ forays into foreign policy revolve around the pursuit of foreign investment, which is acceptable to Moscow. However, far more disconcerting to Moscow is the regions’ involvement in diplomatic matters. It is true that in some cases the regions can be utilized by Moscow as an asset. Unfortunately, though, far more commonly, the regions pursue their own diplomacy, thus undercutting Moscow’s ability to produce cohesive foreign policy.

The inclusion of the regions in foreign affairs, de facto and de jure, sets a new precedent for Russia. During Soviet times, the leaders of even the Union Republics were not in a position to comment on or criticize Moscow’s foreign policy, and the regions had

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<sup>149</sup> Nunn and Stulberg, 56.

<sup>150</sup> Ibid.

even less influence, being limited to participating in "cultural or sporting contacts between individual cities or territories."<sup>151</sup> Now, with the regions gaining influence in Russia, the regional leaders are attempting to affect foreign policy outcomes by either influencing national decisions or circumventing Moscow.<sup>152</sup> However, as numerous as threats created by regional involvement in foreign policy are, the central government also recognizes that the regions' cannot be entirely excluded from foreign policy issues.

## 2. Legal Framework

As with other areas of center-periphery relations, the legal framework guiding regional involvement in the realm of foreign policy leaves room for interpretation. The ambiguity of the framework, combined with the lack of enforcement mechanisms, forms the root cause of the regions' impunity. The 1993 Constitution declared foreign policy, international relations and international treaties, questions of war and peace, and foreign economic relations to be under the sole jurisdiction of the federal government.<sup>153</sup> The Constitution was somewhat more restrictive than the Federation Treaty, which allowed for the regions "to enter into agreements and treaties with foreign entities as long as they do not contradict the Russian constitution."<sup>154</sup> Adding to the legal confusion, the bilateral treaties provided some of the regions with additional concessions in the foreign policy realm, to include rights to establish their own consulates abroad and to reach agreements with other countries.<sup>155</sup> The treaties also required the regions to coordinate any foreign policy initiatives with the federal government, though this frequently does not occur in practice.

The final layer of the framework outlining acceptable activities of the regions in foreign policy is a law passed by the federal government in 1999 in an attempt to provide clear and definitive guidance to the regions. In reality, the law represented "a codification of the present situation which grants the regions considerable freedom in the

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<sup>151</sup> Jeronim Perovic, "Internationalization of Russian Regions and the Consequences for Russian Foreign and Security Policy," *Regionalization of Russian Foreign and Security Policy Working Paper No. 1* (April 2000): 37; internet; available from <http://www.fsk.ethz.ch/publ/workingpapers/wp1.pdf>.

<sup>152</sup> Nunn and Stulberg, 48.

<sup>153</sup> Nicholson, *Towards a Russia of the Regions*, 62.

<sup>154</sup> Nunn and Stulberg, 48.

<sup>155</sup> Ibid.

sphere of international policy and foreign economic policy.”<sup>156</sup> The law did emphasize that the Constitution is the supreme body of law in guiding the regions’ foreign policy activities, and forbid the regions from acting as independent bodies in international law.<sup>157</sup> However, under the new law the regions are permitted to establish contacts and sign agreements below the level of government provided they do not contradict Moscow’s policy, or they may establish contacts at the government level if approved by Moscow.<sup>158</sup> While this law may finally have provided clarity to the legal framework, it does not mean that the framework is strictly followed by the regions, or strictly enforced by the center.

### 3. Benefits of the Regions’ Involvement in Foreign Policy

Fortunately, the regions’ involvement in foreign policy can at times benefit Russia. While the central government may not always appreciate the regions’ participation in foreign affairs, the more inclusive foreign policymaking environment has helped to deepen democracy both in the regions and in the central government. The involvement of the regions has resulted in the “articulation of regional and outward-oriented interests, [which] regularly checks and balances the federal bureaucracy and destroys its monopoly in policy making.”<sup>159</sup> Thus as a result of the increased power of the regions, the central government must increasingly consider the regions’ interests in making foreign policy decisions. Democracy in the regions is also furthered by their participation in foreign policy, as it provides them with a mean to answer the needs and desires of their constituents.

The central government has also been able to directly use the regions’ inclusion in foreign policy to its advantage. While Russia as a whole experienced isolation from the West as a result of the conflicts in Chechnya and Kosovo, the regions were able to

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<sup>156</sup> Perovic, 42.

<sup>157</sup> Ibid.

<sup>158</sup> Martin Nicholson, “A Current Assessment of Regional Separatism,” *Moscow, The Regions and Russia’s Foreign Policy* (June 1999): 21; internet; available from <http://www.fas.nuke/guide/russia/agency/E103-German-compl.htm>; accessed 17 July 2001.

<sup>159</sup> Andrey S. Makarychev, “Islands of Globalization: Regional Russia and the Outside World,” *Regionalization of Russian Foreign and Security Policy Working Paper No. 2* (August 2000): 42; internet; available from <http://www.fsk.ethz.ch/documents/WorkingPapers/wp2.pdf>.

maintain contact with Western counterparts.<sup>160</sup> Additionally, the regions can participate in diplomatic exchanges at the request of the central government, and/or to the benefit of the central government. These might include situations where the government does not want to become directly involved, or when the regions' bilateral relations with other countries can be utilized to the advantage of Russia. Exemplifying the former, some regions were able to maintain necessary relations with the president of Cechnya, Alan Maskhadov, with the approval of Moscow, when the central government wished to remain behind the scene.<sup>161</sup> Characteristic of the latter, close ties between Kaliningrad and Lithuania, Poland, and Germany, have helped to defuse territorial disputes.<sup>162</sup> Similarly, relations between Karelia and neighboring Finnish regions have been an asset to Russia in its relations with Finland.<sup>163</sup> At times, regional leaders have taken the initiative to independently further the interests of Moscow. One such case was when the governor of Saratov "distinguished himself by actively committing himself on his own diplomatic missions to an improvement in relations with Ukraine."<sup>164</sup>

The preceding examples demonstrate that the regions' involvement in foreign policy can indeed be utilized to Moscow's benefit. The central government does appear to be increasingly willing to include the regions in the making of foreign policy, as evidenced by the growing extent to which governors are serving as members of official delegations for diplomatic missions.<sup>165</sup> The more that Moscow is able to incorporate the regional leaders into foreign policy issues, particularly when they are issues of significant concern to that region, the stronger, and better supported Moscow's foreign policy will be. In addition, such efforts at expanded inclusion of the regions may decrease the prevalence of the regions' own independent initiatives. However, until the central government can work better and more frequently with the regions, or provide better controls on the regions' individual forays into foreign policy, these initiatives will remain a threat to cohesive foreign policy.

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<sup>160</sup> Ibid, 49.

<sup>161</sup> Ibid, 50.

<sup>162</sup> Perovic, 47.

<sup>163</sup> Ibid.

<sup>164</sup> Ibid., 41.

<sup>165</sup> Ibid., 38.



#### 4. Dangers of the Regions' Involvement in Foreign Policy

All too frequently, the regions have begun to conduct their own diplomacy, or paradiplomacy.<sup>166</sup> Such initiatives carry serious consequences for Russia, as these regional forays often undercut Moscow's policies. Unfortunately, Moscow does not appear to have either the means or the will to crack down on the regions. As a result of the seemingly freehand provided to the regions, Moscow's foreign policy often becomes fragmented, and its capacity to make credible foreign commitments is hindered.<sup>167</sup>

Fortunately, numerous obstacles that regions face in pursuing their own paradiplomacy make such efforts impractical for many of the regions due to the resources required and risks assumed. Many regional leaders lack the knowledge and experience to pursue their own foreign policy initiatives. Even if regional officials do possess the requisite knowledge to conduct their own foreign policy, many of the regions lack the basic resources and infrastructure, such as transportation networks, banking services, tourist facilities, and communication infrastructure, needed in order to assume international standing.<sup>168</sup> Finally, the ability of the regions to counter the central government's foreign policy is hindered by their individualistic nature. Instead of seeking out ways to form alliances, each region "prefers to tackle the federal government individually, making use of its political status, access to mineral resources or geographical position, and avoiding binding commitments with others."<sup>169</sup> Thus, it appears that the individualism promoted by the creation of bilateral treaties has permeated into other policy realms.

Perhaps one of the most threatening ways for the regions to interfere in foreign policy issues is by aggravating tensions with other countries. This has already occurred in Pskov Oblast, where the actions of regional officials have increased tensions between Russia and the Baltic states. The region continues to exploit Estonian and Latvian claims to territory under its jurisdiction in order "to excite nationalist sentiments among the local

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<sup>166</sup> Stephan De Spiegeleire, "Gulliver's Threads: Russia's Regions and the Rest of the World," 308; internet; available from <http://src/h.slav/hokudai.ac.jp/sympo/98summer/pdf/spiegeleire.pdf>.

<sup>167</sup> De Spiegeleire, 308; and Nunn and Stulberg, 46.

<sup>168</sup> Makarychev, "Islands of Globalization: Regional Russia and the Outside World," 38.

<sup>169</sup> Ibid., 39.

electorate and divert attention from social and economic problems.”<sup>170</sup> Pskov’s actions have only served to push the Baltic states further towards NATO, and away from Moscow. In another case, Moscow Mayor Yuri Luzhkov, in posturing for a run at the presidency, attempted to renew Russian claims to the Crimean peninsula, which only served to exacerbate tensions between Russia and Ukraine.<sup>171</sup>

The actions of both Luzhkov and Pskov’s leaders also demonstrate the tendency of regional leaders to pursue foreign policy with a very narrow focus. In both cases, the regional leadership pursued their own self-interest. Now that they must remain accountable to the electorate, foreign policy provides regional leaders with a means to build support for their administration. The resultant policies often promote regional interests at the expense of the interests of both the country as a whole, and other regions.<sup>172</sup>

In the pursuit of their own foreign policy, regional leaders frequently contradict the position of the federal government. Exemplifying this, representatives from Bashkortostan, Dagestan, Sakha, Tatarstan, Tyva, Khakassiya, and Chuvashiya participated, contrary to the wishes of the federal government, in a 1997 meeting of Turkic states and communities which resulted in a statement, approved by the Russian attendees, calling for international recognition of the Turkic Republic of Northern Cyprus.<sup>173</sup> The position of the Russian regions contradicted the Russian policy of not extending recognition to Northern Cyprus. The actions of the regions precipitated concerns from the Republic of Cyprus, resulting in the need for the Russian Foreign Ministry to apologize for the regions’ actions and reassert the country’s official position.<sup>174</sup>

While the Turkic regions’ recognition of Northern Cyprus certainly placed the federal government in an awkward position, the situation was easily resolved. In other cases, the actions of the regional governments have taken on a more sinister tone,

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<sup>170</sup> Nunn and Stulberg, 55.

<sup>171</sup> Ibid., 52.

<sup>172</sup> De Spiegeleire, 308.

<sup>173</sup> Ibid., 304.

<sup>174</sup> Perovic, 42.

particularly in the Far East. In 1992, the governor of Sakhalin Oblast worked with the military stationed on his territory to prevent Moscow from reaching an agreement with Japan and returning the Kurile Islands to Japan.<sup>175</sup> The actions of the Sakhalin governor had serious implications, forcing the cancellation of Yeltsin's trip to Japan, and holding up efforts at reconciliation with Japan.<sup>176</sup> In another situation that arose in the Far East, the governor of Primorski krai subverted Moscow's attempts at reconciliation with both Japan and China, "by hyping traditional Russian xenophobia, unilaterally reversing federal policies that permit the visa-free entry of Chinese traders, and ordering Russian patrol vessels to shoot at Japanese fishing boats that violate Russia's territorial waters."<sup>177</sup>

In these cases, the actions of the Far East leaders may have been driven by something more than individual self-interest. While to some extent their actions may be motivated by the desire to use nationalism to build support for themselves, it is also possible that they were impelled by concerns of Chinese assimilation due to the growing numbers of Chinese living in the Far East. This fear appears to have been the motivating factor for the legislature of Chita Oblast when they passed a law, contrary to federal policies, which restricted Chinese immigration into the border region.<sup>178</sup> Thus, the preceding examples of paradiplomacy in the Far East can alternately be viewed as attempts by the regions to influence policy directly, due to a lack of adequate representation of their interests by the federal government. This could potentially be rectified by providing the Federation Council with a broader role in foreign policy decisions. Some leaders "hope to turn the council into the main vehicle for engaging foreign parliamentarians on a range of commercial and diplomatic issues."<sup>179</sup>

To some extent, then, the regions' interjection into the realm of foreign policy may be motivated by the weakness and unresponsiveness of the federal government. As such, Moscow may be able to reassert control over foreign policy by furthering their

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<sup>175</sup> Blank, "Russia's Armed Forces on the Brink of Reform," 29.

<sup>176</sup> Ibid.

<sup>177</sup> Nunn and Stulberg, 50.

<sup>178</sup> Ibid., 49.

<sup>179</sup> Ibid., 54.

attempts to more extensively integrate the regions into foreign policy decisions. However, the central government also needs to enforce its supremacy. Although some paradiplomacy may benefit the federal government, the risks associated with allowing the regions to pursue their own interests abroad, regardless of their effects on Moscow, are too great.

Until the foreign policy initiatives of the regions become more strictly regulated, the policy process in Moscow will remain complex. Additionally, other countries are faced with the dilemma of deciding to what extent they should incorporate the regions into foreign policymaking. While other countries may benefit from cooperation with regional leaders, such cooperation could also provide those countries with the ability to "circumvent Moscow's internecine politics."<sup>180</sup> Such attempts to conduct foreign policy through the regions instead of the center could lead to "trans-sovereign meddling," with "outside powers...trying to take advantage of the aspirations of regional leaders to further their own political agendas."<sup>181</sup> In reality, this problem has already surfaced as evidenced by attempts by Belarussian President Lukashenko to court Russia's regions when the central government is ignoring him.<sup>182</sup>

## 5. Conclusion

Mikhail Alexseev has argued that the paradiplomacy of the regions has been "marginal," because their actions have not profoundly impacted Moscow's foreign policy in any way.<sup>183</sup> His justification for this argument is that the regions have not fragmented Russia's policies on NATO enlargement, the conflict in Kosovo, or other major policy issues, and the regional leaders had no input in the drafting of Putin's foreign policy doctrine.<sup>184</sup> Although he is correct in acknowledging the lack of regional influence in overall policy, that may indeed be a large part of the problem. Regardless of the extent to which the regions are affecting Russia's foreign policy, their actions cannot be

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<sup>180</sup> Ibid, 46.

<sup>181</sup> De Spiegeleire, 308.

<sup>182</sup> Nicholson, "A Current Assessment of Regional Separatism," 21.

<sup>183</sup> Mikhail Alexseev, "Russia's Periphery in the Global Arena: Do Regions matter in the Kremlin's Foreign Policy?" *Program on New Approaches to Russian Security Memo No. 156* (October 2000): 1; internet; available from <http://www.fas.harvard.edu/~ponars/POLICY%20MEMOS/Alexseev156.html>; accessed 30 May 2001.

<sup>184</sup> Ibid., 5.

disregarded. They certainly do nothing to contribute to strong, cohesive foreign policy. While the continued influence of the regions in foreign policy will certainly not spell the end of Russia, the regions will only make the obstacles to an unfragmented policy that much greater. Alexseev's argument seems to provide support for the idea that Moscow needs to be more receptive to input from the regions. Doing so will not only decrease independent foreign policy initiatives being pursued by the regions, but also make Russia's foreign policy that much stronger. However, incorporating the regions more extensively into foreign policy decisions can only be accomplished through the strict enforcement of the current legal framework.

#### **D. CONCLUSION**

The expansion of the regional tsars into the realms of the military and foreign policy has yet to significantly undermine the policies of the central government. However, the multiple examples of the regions' interference in these matters demonstrate that the potential certainly exists. Because of the benefits that Moscow has in some cases reaped from overlooking these abuses of power by the regional leaders, the central government may be tempted to allow the violations of the legal framework to continue. Whatever the results of the regions' impunity, the federal government is sending the regions the wrong message. The more that the regions' intervention in these realms is allowed to persist, the greater the potential for Moscow's policies to be seriously and irreversibly undermined.

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## **V. CONCLUSIONS AND RECOMMENDATIONS**

### **A. INTRODUCTION**

The preceding chapters have shown that the tremendous freedom provided to regional leaders both by the lack of a strong, clear legal framework to guide Russia's center-periphery relations and the lack of effective checks on their power has resulted in the emergence of very strong regional power centers. While perhaps only a minority of regional leaders actually deserve the name regional tsar at this time, there can be no doubt that if the central government continues to allow regional leaders to expand their spheres of de facto power, more will earn the title. Fortunately, the central government has identified the reassertion of power over the regions as a priority, and is seeking out ways to de-conflict the various legal documents guiding Russia's center-periphery relations and limit the powers of regional tsars. The federal government seems to be on the right track with their reforms targeting the foundations of federalism in Russia; however, the process is only beginning, and will not be quick or easy. There has been, and no doubt there will continue to be a tremendous amount of resistance from the regions. The future of federalism in Russia will certainly depend on the central government's ability to balance the regional government's concerns of centralization with their own concerns of separatism.

### **B. NECESSARY REFORMS**

This thesis has argued that the way in which federalism is structured in Russia, combined with the legal framework that evolved to guide center-periphery relations and the lack of mechanisms to enforce the framework, provided regional leaders with the ability to rule as they see fit within their regions. In the absence of any strong reaction from the central government, the regions have increasingly expanded their power into realms intended to be under the sole jurisdiction of the federal government. Center-periphery relations as they exist today are unstable and threaten the security and stability of the country. Lacking any action from the central government, the regions are likely to continue pushing the limits of their power.

The central government's ability to rein in the regions is dependent on a variety of factors to include such things as their ability to deal with assertions of ethnicity, their ability to follow through on their financial obligations to the regional governments, the distribution of taxes, and many other issues. However, perhaps most fundamentally, the reassertion of control over the regions will depend on the ability of the central government to develop a stable and equitable federal structure that is based on a clear, concise legal framework, with effective enforcement mechanisms. Reforms targeting these issues will not resolve all of Russia's center-periphery problems, but will certainly be a step in the right direction.

President Putin, acknowledging the extent to which regions were moving outside of Moscow's control, introduced several reforms in June 2000 aimed at decreasing the power of regional leaders. They included: the creation of seven super-regions, the restructuring of the Federation Council, and granting the President the power to remove governors accused of corruption.<sup>185</sup> Some have been quick to charge Putin with attempting to abolish federalism in Russia. However, a closer look at Putin's reforms reveals that they may just be exactly what Russia needs. And, while they may allow for some centralization of power, that is not such a bad thing considering that Russia was well on its way to becoming a confederation.

Putin's first, and perhaps most controversial reform, involved the creation of seven super-regions, each headed by a presidentially-appointed representative. The tasks of these representatives include "oversee[ing] and monitor[ing] the regions' compliance with the Russian Constitution, federal laws and presidential decrees...[as well as] be[ing] entrusted with the selection and placement of personnel in regional branches of federal government agencies...[and] look[ing] out for national security interests in the regions."<sup>186</sup> If effectively implemented, these representatives would ensure that federal laws were taking precedence over regional laws, thus stymieing the attempts of regional leaders to declare the supremacy of regional laws and ignore federal laws. The federal selection of personnel for the regional branches of federal agencies would improve the

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<sup>185</sup> Peter Rutland, "Putin's Path to Power," *Post-Soviet Affairs* 16, no. 4 (2000), 348.

<sup>186</sup> Vladimir Lysenko, "History is Repeating Itself for the Third Time," *The Current Digest of the Post-Soviet Press* 52, no. 20 (14 June 2000), 4.



vertical checks on local power, by ensuring that these officials are not serving the interests of the regional leaders. Previously, the governors and republic presidents had been able to influence the selection of personnel in many of the regional federal agencies, to include the prosecutor's office, the Federal Security Service, the police, the tax inspectorate and tax police, courts, and customs officials, with even the strongest of these being "only ostensibly independent of local authorities."<sup>187</sup> Finally, by charging the presidential representatives with the task of looking out for national security interests, one can assume that this would include monitoring the development of independent military and foreign policy initiatives in the regions that could potentially undermine the security of the country.

The presidential representatives have achieved mixed results since their implementation. Their primary task of de-conflicting regional and federal laws has seen the most success, but the problem is far from being completely resolved. For example, after six months of work, of the seventy-five regional laws needing to be brought in line with federal legislation in Tatarstan, only nine were corrected; with seventeen out of ninety-two corrected in Bashkortostan; and one out of twenty-six in Moscow.<sup>188</sup> After one year, Putin claimed that 80 percent of the errant regional laws had been brought in line, but the actual benefits of this success are difficult to determine.<sup>189</sup> Although on paper the regional laws may coincide with federal laws, this does not mean that actual behaviors have changed. Even with the creation of a unified legal space, the dearth of checks on the regional leaders' power still provides them with the means to rule autocratically.

The real benefit of the super-regions may come in the long run as a potential alternative to the current federal structure. It is commonly acknowledged that Russia would benefit from a reduction in the number of its constituent members. Some of the

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<sup>187</sup> Gulchachak Khannanova and Alla Barakhova, "Governors are No Longer Afraid of the Kremlin," *The Current Digest of the Post-Soviet Press* 52, no. 42 (15 November 2000), 2; and Vladimir Kuzmishchev, "Not to Represent, But to Govern," *The Current Digest of the Post-Soviet Press* 52, no. 20 (14 June 2000), 6.

<sup>188</sup> Marina Kalashnikova, "First 6 Months of Work of Putin's Plenipotentiary Representatives Assessed," *Moscow Nezavisimaya Gazeta*, 21 December 2000 [database on-line]; available from FBIS.

<sup>189</sup> Robert Orttung, "Overview: How Effective Have Putin's Reforms Been After One Year," *EWI Russian Regional Report* 6, no. 18 (16 May 2001).

various propositions for restructuring the Russian federal structure will be discussed later, but for now it should be mentioned that the federal districts can alternately be viewed "not [as] another layer of bureaucracy, but a structure parallel to the regions, intended to eventually replace the regions."<sup>190</sup>

The second reform that Putin introduced in June of 2000 altered the structure of the Federation Council. Previously, the Federation Council had been composed of the top legislative and executive official from each region. As already mentioned, because the members of the Federation Council receive immunity from prosecution, the regional leaders did not have to fear being punished for their illegal acts. An additional problem with the existing structure was that the regional leaders were too burdened with their work in their respective regions to be effective members of the Council. During the few days each month that they were able to come to Moscow, they were more concerned with lobbying various ministries than dealing with the legislative workload of the Federation Council.<sup>191</sup> Their membership on the Council forced local leaders to be distracted from the problems in their home regions, while the business of the Council suffered because the regional leaders were "often ill-informed about the issues, relying on guidance from their staff."<sup>192</sup>

Putin's reform altered the composition of the Council so that each region is represented by two full-time members, one chosen directly by the regional executives, and the other selected by the regional assemblies.<sup>193</sup> The benefits of this reform are threefold. The restructuring will allow the regional leaders to focus more on the problems of their respective region, without having their attention diverted by business in Moscow. Similarly, the Federation Council will be more effective, being filled with legislators who can be more efficient than their predecessors, while still representing the interests of their respective regional government. Finally, much to the chagrin of the

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<sup>190</sup> "Decentralization and Recentralization in Russia," *Carnegie Endowment for International Peace Meeting Report 2*, no. 7 (25 October 2000); internet; available from <http://www.ceip.org/files/events/petrov.asp?pr=2>; accessed 30 May 2001.

<sup>191</sup> Nicholson, *Towards a Russia of the Regions*, 44.

<sup>192</sup> Ibid.

<sup>193</sup> Andrei Zagorodnikov, "Vladimir Putin Reinvents Russian Federalism," 2; internet; available from [http://www.ciff.on.ca/ciff\\_html/research/bv1n1/bria4.html](http://www.ciff.on.ca/ciff_html/research/bv1n1/bria4.html); accessed 30 May 2001.

regional leaders, they will lose their immunity, thus forcing them to be more accountable for their lawless actions.

The third major reform introduced by President Putin in June 2000 granted him the power to remove governors accused of corruption. As with the elimination of immunity for the governors, this reform will serve as a vertical check on the machinations of the regional leaders. In the year since the reform was introduced it has yet to be utilized, although the threat of it may have led to the resignation of the obscenely corrupt governor of Primorskii krai, Nazdratenko, in February of 2001. Accordingly, this reform "serves as a 'fly-swatter' over the heads of the governors, and this threat is more important than its actual realization."<sup>194</sup>

Overall, Putin's reforms seem to focus on strengthening the vertical checks on the power of the regional leaders. While these measures may restrict the abuses of power by the regional leaders, they also result in some degree of centralization of the state. As a result, Russia is still in need of horizontal checks on the regional executives. The strengthening of the courts and regional legislatures may not be easily resolved. However, Putin is taking some efforts to strengthen regional courts, to improve the regional police forces, and to withdraw the regional legislatures from executive control.

In order to strengthen the independent nature of regional legislatures, measures are being considered that would require some of the seats to be based on party lists, which would then allow the legislators to "take cues from the governors as well as from party leaders in Moscow."<sup>195</sup> Because the governors now face dismissal if found guilty of corruption, they may also be less likely to use illegal means to get themselves and those they support for the legislature elected. Thus, in addition to the governor having less influence over the legislators once in office, he may also experience more difficulty in getting them into office in the first place. The net result would be a legislative branch that could check the executive branch's abuses of power.

Putin also seems to realize the need for stronger regional courts that are not reliant on regional funding. In March of 2000, Putin expressed interest in returning court

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<sup>194</sup> Ibid.

<sup>195</sup> Pavel Isaev, "Kremlin Seeks to Remove Regional Legislatures from Governors' Control," *EWI Russian Regional Report* 6, no. 26 (9 July 2001).

financing to federal jurisdiction and raising judges' salaries.<sup>196</sup> Although action on this measure has not yet been taken, should Putin carry out this reform, the governors would, to a great extent, lose both direct and indirect influence over the courts.

Improving both the horizontal and vertical checks on regional leaders would certainly limit regionalism in Russia; however, in order to build a strong federative government, Russia needs to reform its very foundations. Most importantly, this would involve the creation of a strong and clear legal framework to delineate the powers of the central and regional governments. Putin is taking steps in this direction, as evidenced by a commission he set up in June 2001 that was tasked to divide up power between the federal, regional, and local governments.<sup>197</sup> In particular, the commission is targeting the bilateral treaties that were signed from 1994 to 1999. Although the existence of the treaties is guaranteed by the Constitution, it is hoped that their importance can be reduced so that they only cover issues not addressed in other bodies of federal law.<sup>198</sup> The overall goal of the commission is to "reduce the numerous documents that now govern center-periphery relations and replace them with a tidy set of laws....[and] to replace the treaties with a common set of rules for the regions and provide them with equal rights."<sup>199</sup>

Some regions have already demonstrated a desire to assist in strengthening the legal framework that guides center-periphery relations. Evidencing this, the leaders of Ulyanovsk, Nizhnii Novgorod, Marii Ell, and Omsk have all renounced their bilateral treaties with the federal government in order " 'to ensure the superiority of the Constitution and federal law.'"<sup>200</sup> However, these regions also had received relatively few benefits from their treaties compared to other regions, such as Tatarstan and Bashkortostan, which receive significant benefits that they are unlikely to willingly give up. The differentiation in benefits provided by the treaties is indicative of the problems that Russia's asymmetrical framework continues to create.

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<sup>196</sup> Hahn, 5.

<sup>197</sup> Svetlana Mikhailova, "Putin Establishes Committee To Divide Power Between Levels of Government," *EWI Russian Regional Report* 6, no. 25 (3 July 2001).

<sup>198</sup> Ibid.

<sup>199</sup> Ibid.

<sup>200</sup> Orttung; and Mikhailova.

The preceding reforms will no doubt come into effect very slowly. In the meantime, efforts to restrict the de facto powers of regional leaders can also be facilitated by expanding their access to the federal government. Should the federal government make a conscious effort to consult regional leaders on more matters, and incorporate the regions' concerns in their decisions and actions, the regions would be provided with another avenue through which to affect policy. Over time, regional leaders may find this avenue more attractive than acting outside of the boundaries of the law.

### C. RESTRUCTURING THE FEDERATION

As previously mentioned, the commission appointed by Putin intends to ensure that all regions are equal; however, that may not be possible with the current structure of the federation. Several proposals have been made since the collapse of the Soviet Union to restructure the constituent units of Russia along more practical lines. The structure as it exists today was not intended by its creators to serve as a basis for true federalism. The attempt by Russia to build a federation on the foundations of the Soviet structure resulted in an asymmetrical structure that "was a salvation for Russia in 1991-96, but now constitutes a destructive force for the federation."<sup>201</sup> As such, the creation of a stable federative arrangement in Russia that can provide the basis for a cohesive, clear legal framework will most likely require the eventual restructuring of the constituent units of the country. Such an undertaking certainly would not be without its obstacles, but would reap many benefits in the long term. Those working on the 1993 Constitution identified the unsustainability of the current federation structure when the inequality was described as " 'a minefield' that would have to be defused sooner or later."<sup>202</sup>

The various proposals for restructuring Russia's federal structure vary significantly, particularly in the extent to which they provide for ethno-territorial divisions. Some advocate the perpetuation of the ethno-territorial structure that exists today, claiming that it would be too difficult to abolish the ethnic republics. Others advocate the opposite extreme, proposing that Russia create a unique federal structure based on "the self-expression and limited self-government of communities at the local

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<sup>201</sup> Rykhtik, 3.

<sup>202</sup> Teague, 45.

(rather than the regional or national) level.”<sup>203</sup> Most promising, though, are proposals advocating the creation of a strictly territorial based federal system.

Numerous proposals have suggested that the country's constituent units be entirely based on territorial divisions with nationality becoming an individual matter. Most of the suggestions recommend the reduction in the number of federal subjects from eighty-nine to anywhere from forty-five to seven. The most well-known proposal for territorial federalism was put forth by Oleg Rumyantsev during the constitutional debate in the early 1990s. He proposed that the territorial formations be combined into twenty regions structured similarly to the *landers* in the Federal Republic of Germany.<sup>204</sup> Eventually, these territorially based regions would be raised in status to equal the ethnic republics, and ethnicity would be phased out so that “all Russia's provinces would become equal in status; and ethnicity would be disentangled from the state.”<sup>205</sup>

Rumyantsev's and other similar proposals that call for the creation of somewhere between ten and fifteen territorially based divisions, with ethnically based divisions being abolished, also have to address the inevitable resistance from the ethnic republics. Most of the ethnic republics would probably be more likely to resent the loss of their special privileges than the actual elimination of the representation of their ethnic interests. This is because Russia is actually quite ethnically homogenous, with Russians making up more than 82 percent of the population, and because in many of the ethnic republics the titular nationality is a minority.<sup>206</sup> However, many opponents to a territorially based system argue that the ethnic republics cannot be abolished because “one cannot simply try to ignore (or reverse) the structures that have been in place for the last seventy years.”<sup>207</sup> To the extent that concerns regarding the abolition of the ethnic republics are in regards to ethnic issues, any attempt to restructure Russia along strictly territorial lines would require the creation of effective mechanisms for dealing with ethnicity issues outside of federal structures. Various advocates of a *lander* system have proposed

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<sup>203</sup> Lynn and Novikov, 6.

<sup>204</sup> Ibid.

<sup>205</sup> Teague, 31.

<sup>206</sup> Boris Lagutenko, “Need for Administrative-Territorial Reform Detailed,” *Moscow Nezavisimaya Gazeta*, 24 October 2000 [database on-line]; available from FBIS.

<sup>207</sup> Lynn and Novikov, 5.

alternate measures to accommodate ethnicity concerns to include: the creation of Councils of National Communities at the regional and federal levels for dealing with issue such as non-Russian language education and the development of non-Russian cultures; and Sergei Shakray's "February Thesis," which proposed an eleven-point nationalities policy for dealing with ethnic concerns in alternate ways.<sup>208</sup>

The transition to a territorially based system would not be without its obstacles and opponents. However, the ethno-territorial system that exists today is too complex and contradictory to provide a strong base for an effective federal structure. Instead of facilitating the growth of federalism in Russia, it hinders it by complicating the delineation of powers between the central and regional governments. The ambiguity of center-periphery relations only serves to foster the growth of regional tsars. Russia would benefit from the abolition of the current ethno-territorial structure, replacing it with a simple and clear territorially based system. As long as the concerns of the ethnic minorities are accommodated through alternate channels, such a system could emerge as a stable foundation for federalism in Russia.

#### **D. CONCLUSION**

The political and security implications of regionalism in Russia that have been addressed in thesis should not leave the reader with the view that the devolution of power to Russia's regions should not have occurred. Rather, the transfer of powers to the regions should not have occurred in the manner in which it did. By allowing the regions to take as much autonomy as they could swallow in the early years of the Russian Federation, the central government set itself up for the difficult task of wresting power *from* the regions. Had the federal government adopted a strong cohesive legal framework for delineating the appropriate spheres of power for the central and regional governments they may have been successful in stabilizing the balance of power. However, because the Federation Treaty, Constitution, and bilateral treaties were vague and contradictory and built off of an antiquated federal structure, the regional leaders were able to maintain and even expand the power grasped in the early 1990s. As a result, many of Russia's regions find themselves with authoritarian governments that have little regard for democratic norms. While this trend is quite troubling in and of itself, the expansion of the regions'

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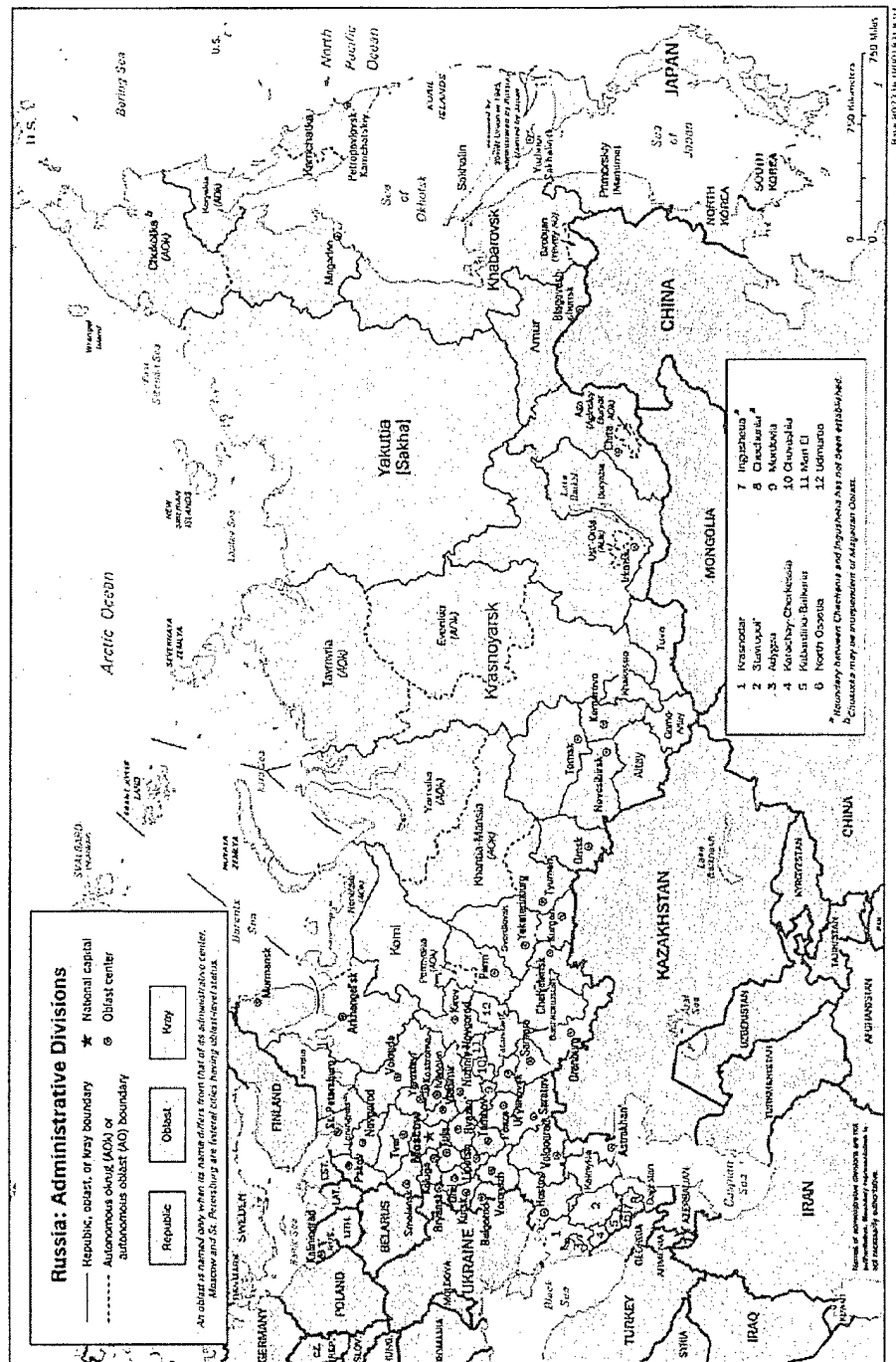
<sup>208</sup> Ibid.

influence into areas of federal jurisdiction is even more so. Although the regions' effects on the military and foreign policy have not yet been more than mild irritants, they hold the potential to significantly undermine both the security and stability of the country.

President Putin's recent reforms appear to be targeting some of the key problems in the balance of power between the central and regional governments, to include the contradictory legal framework and the dearth of checks on regional power. However, these reforms are only the beginning of what will no doubt be a long and painful process. More reforms are needed, the most essential of which is a restructuring of the federal structure itself. Fortunately, though, Putin's struggle to rein in the regions is not a fight to maintain the integrity of the country; instead, it is a quest to solidify the foundations of the Russian Federation.



# APPENDIX. RUSSIA'S ADMINISTRATIVE DIVISIONS



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